

State of Nevada



CAMPAIGN GUIDE 2020

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PREFACE

The Secretary of State’s office has prepared this brief summary of information pertaining to Nevada’s Election Laws to provide a general understanding of the requirements for campaign procedures and conduct, as printed in Chapters 293 and 294A of the Nevada Revised Statutes (NRS) and other pertinent sections of the Nevada Constitution, Title 24 of the NRS, and the Nevada Administrative Code (NAC). The purpose of this guide is to provide a general understanding of the requirements for campaign procedures and conduct. **It is important to note that this guide is for general information only. It does not have the force and effect of Nevada law, regulation, or rule.** Interested citizens should obtain the most recent version of the NRS since Nevada’s election laws are amended each legislative session. Interested parties should also be aware that election issues are periodically addressed by the Attorney General, or by state or federal courts. Due to the general scope of this guide, some of these issues may not be addressed here. Interested parties should review Attorney General Opinions and court decisions, and should contact the Secretary of State or a Nevada attorney with any specific questions.

FILING FOR CANDIDACY

○ FILING OFFICER

The Secretary of State is the filing officer for all statewide offices, as well as those offices that represent districts comprised of more than one county. The County Clerk, or the Registrar of Voters in Clark and Washoe counties, is the filing officer for county and township offices, including offices elected from districts completely within one county or part of one county ([NRS 293.185](#)). The City Clerk is the filing officer for offices that are elected at municipal elections ([NRS 293C.175](#)).

The Secretary of State is the filing officer for all federal offices except for United States House of Representatives, Districts 1 and 3. The Clark County Registrar of Voters is the filing officer for those federal offices.

○ DEADLINES FOR DECLARING CANDIDACY – JUDICIAL: JANUARY 6 – 17, 2020

The first day of candidate filing for judicial candidates is Monday, January 6, 2020. The last day to file is no later than 5 p.m., Friday, January 17, 2020. Any declaration that is mailed must be received in the appropriate filing office by 5:00 p.m. on Friday, January 17, 2020 ([NRS 293.177](#)). Please note that in some municipalities, filing deadlines for municipal offices may be different if the municipality holds its primary and general elections on dates other than the dates for the statewide primary and general elections. (Most municipalities have moved their elections to the even years.)

○ DEADLINES FOR DECLARING CANDIDACY – NON-JUDICIAL: MARCH 2 – 13, 2020

The first day of candidate filing for non-judicial candidates is Monday, March 2, 2020. The last day to file is no later than 5 p.m., Friday, March 13, 2020. Any declaration that is mailed must be received in the appropriate filing office by 5:00 p.m. on Friday, March 13, 2020 ([NRS 293.177](#)). Please note that in some municipalities, filing deadlines for municipal offices may be different if the municipality holds its primary and general elections on dates other than the dates for the statewide primary and general elections. (Most municipalities have moved their elections to the even years.)

○ USING A NICKNAME ON THE BALLOT

A nickname of not more than ten (10) letters may be used on the ballot; however, it must be in quotation marks and appear immediately before the candidate's surname. A nickname must not indicate any political, economic, social, or religious view or affiliation and must not be the name of any person, living or dead, whose reputation is known on a statewide, nationwide, or worldwide basis. The nickname must not, in any way, deceive a voter regarding the person or principles for which he or she is voting ([NRS 293.2565](#)).

○ CANDIDATES WITH THE SAME SURNAME

If two or more candidates have the same given name or surname so similar as to likely cause confusion and neither of the candidates is an incumbent, then the middle names or middle initials, if any, must be included on the ballot. If one of the candidates is an incumbent, the name of the incumbent must be listed first and the word “incumbent” must appear next to the name of the candidate who is the incumbent ([NRS 293.2565](#)).

○ CHANGING NAME ON THE BALLOT

A candidate may change the manner in which his or her name will appear on the ballot by filing a written request to amend the declaration of candidacy. The candidate must file the request in person with the filing officer with whom the candidate filed his or her declaration of candidacy not later than 5 p.m. on the last day to file for office ([NAC 293.081](#)).

○ FILING FEES

Filing fees must be paid in cash, cashier's check, or certified check. Personal checks or credit/debit cards are not accepted. The filing fees are as follows ([NRS 293.193](#)):

United States Senator	\$500
Representative in Congress	\$300
Governor	\$300
Justice of the Supreme Court	\$300
Court of Appeals Judges	\$200
Any state office, other than Governor or Justice of the Supreme Court	\$200
District Judge	\$150
Any County Office	\$100
State Senator or Assemblyperson	\$100
Justice of the Peace	\$100
Any district office other than District Judge	\$30
Constable or other town or township office	\$30
University Board of Regents*	\$0

* No filing fee is required from a candidate for an office if the office holder receives no compensation ([NRS 293.193](#)).

○ RETURN OF FILING FEES

If an independent candidate fails to receive enough signatures on a petition to appear on the ballot, the filing fee of the independent candidate must be returned to the candidate. The filing officer to whom the fee was paid must return the fee within ten (10) business days after the date on which a final determination is made that the candidate did not receive enough signatures ([NRS 293.194](#)). Except for independent candidates, filing fees are not refundable ([NRS 293.193](#)).

○ DEADLINE FOR CHANGING POLITICAL PARTY AFFILIATION PRIOR TO DECLARING CANDIDACY

A person may NOT be a candidate of a major political party for partisan office in 2020 if:

- He/she changed political party affiliation after December 31, 2019; **or**
- He/she changed from nonpartisan to a designation of a political party affiliation on an application to register to vote in Nevada or in any other state after December 31, 2019 ([NRS 293.176](#)).

Please note that the party change prohibition does not apply to a person who is a candidate of a political party that was not in existence prior to December 31, 2019, or to candidates of a minor political party ([NRS 293.176](#)). Also note that a person may change from any political party affiliation to nonpartisan and run for office in 2020.

○ WRITE-IN CANDIDATES

Nevada law prohibits write-in candidacies or write-in votes of any kind ([NRS 293.270](#)).

CONDUCTING A CAMPAIGN

○ CODE OF FAIR CAMPAIGN PRACTICES

The Code of Fair Campaign Practices is a voluntary code to which a candidate may subscribe. It states certain principles by which a fair and ethical campaign should be run. A candidate who subscribes to the Code may indicate so on his or her campaign literature. A copy of the Code of Fair Campaign Practices is provided to each candidate at the time of filing ([NRS 294A.290](#)).

○ USE OF THE TERM “RE-ELECT” AND IMPLYING INCUMBENCY

Nevada law prohibits use of the term “re-elect” in any campaign materials or statements unless the candidate was elected at the most recent election to fill the identical office with the same district number, if any ([NRS 294A.330](#)). It is also unlawful to imply that a candidate is an incumbent in any materials or statements in support of the candidate unless the candidate is entitled to use the term “re-elect” or the candidate was appointed to and served continuously in the same office after the most recent election to fill that office ([NRS 294A.340](#)). Use of the terms “elect” or “for” in campaign materials are statements that does not imply incumbency.

○ PERSUASIVE POLLS

If a candidate, political party, committee sponsored by a political party, or committee for political action requests or compensates a person to conduct or cause to be conducted a persuasive poll or produce an automated or computerized message by telephone concerning a candidate, the person conducting the poll shall disclose, at the end of the poll, the name and telephone number of the candidate, political party, committee sponsored by a political party, or committee for political action that requested or compensated the person for the poll ([NRS 294A.341](#)). Each violation is subject to a civil penalty of up to \$5,000 ([NRS 294A.343](#)).

The term “persuasive poll” is defined as the canvassing of persons, by means other than an established method of scientific sampling, by asking questions or offering information concerning a candidate which is designed to provide information that is negative or derogatory about the candidate or the candidate’s family. The term does not include a poll that is conducted only to measure the public’s opinion about or reaction to an issue, fact or theme ([NRS 294A.341](#)).

○ DISCLOSURES ON CAMPAIGN MATERIALS

A candidate, committee for political action, political party, or committee sponsored by a political party that expends more than \$100 for the purpose of financing a communication through any television or radio broadcast, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising shall disclose on the communication that it was paid for by the candidate, committee for political action, political party, or committee sponsored by a political party ([NRS 294A.348](#)).

If a communication is approved by a candidate, in addition to disclosing on the communication that it was paid for by the candidate, the communication must state that the candidate approved the communication and disclose the street address, telephone number, and internet address, if any, of the person, committee for political action, political party, or committee sponsored by a political party that paid for the communication ([NRS 294A.348](#)).

A candidate, committee for political action, political party, or committee sponsored by a political party that has an internet website available for viewing by the general public or that sends out an electronic mailing to more than 500 people that: (1) advocates expressly the election or defeat of a clearly identified candidate or group of candidates; or (2) solicits a contribution through any television or radio broadcast, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising, shall disclose on the internet website or electronic mailing, as applicable, the name of the candidate, committee for political action, political party, or committee sponsored by a political party ([NRS 294A.348](#)).

Disclosures and statements must be clear and conspicuous, and easy to read or hear, as applicable. The disclosure requirements do not apply to any statement or communication appearing on a cap, hat, shirt, or other article of clothing. They also do not apply to any item that has a retail cost per item of less than \$5, including any button, pen, pencil, ruler, magnet, key tag, emery board, comb, letter opener, can holder, bottle opener, jar opener, balloon, or piece of candy. However, the \$5 per item retail value exclusion does not apply to any door hanger, bumper sticker, yard sign, or advertising through a television or radio broadcast, newspaper, magazine, outdoor advertising facility, or mailing ([NRS 294A.349](#)).

○ CAMPAIGN SIGNS

Local and state laws govern the use of campaign signs. Candidates should review county and city ordinances for the rules regarding campaign signs. In addition, state law governs campaign signs placed within highway rights-of-way. Please refer to [NRS 405.030](#) and [405.110](#) for specific prohibitions, the removal policy by the Nevada Department of Transportation, and possible penalties.

State law does set time periods for the placement of campaign signs along interstate and primary highways. Campaign signs must not be placed next to these highways earlier than sixty (60) days before a primary election and must be removed no later than thirty (30) days after the election. A successful candidate in the primary election may display his or her campaign signs through the following general election, removing them thirty (30) days later ([NRS 410.400\(4\)](#)). For more information or to report a violation, please contact the Nevada Department of Transportation at (775) 888-7000.

Remember to always seek permission of property owners prior to placing campaign signs on private property. The posting of campaign signs on public utility poles is prohibited ([NRS 704.638](#)).

○ JUDICIAL CANDIDATES

The Revised Nevada Code of Judicial Conduct included in the Supreme Court Rules imposes several requirements on judicial candidates. If you are a candidate for judicial office, please refer to the [Nevada Code of Judicial Conduct](#) for more details or contact the Standing Committee on Judicial Ethics.

All candidates for judicial office must file Contributions and Expenses (C&E) Reports with the Secretary of State. Please refer to the “What About the Money?” section of this guide for more information.

STANDING COMMITTEE ON JUDICIAL ETHICS
P.O. BOX 48
CARSON CITY, NEVADA 89702
PHONE (775) 687- 4017 FAX (775) 687- 3607
ncjdinfo@judicial.state.nv.us

Additionally, judicial candidates must file a Financial Disclosure Statement (FDS) with the Administrative Office of the Courts (AOC), not the Secretary of State. Please refer to the FDS section of this guide for further information.

WHAT ABOUT THE MONEY?

○ CONTRIBUTION DEFINED

“Contribution” means a gift, loan, conveyance, deposit, payment, transfer, or distribution of money or of anything of value other than the services of a volunteer ([NRS 294A.007](#)).

○ CAMPAIGN EXPENSES DEFINED

“Campaign Expenses” means all expenses incurred by a candidate for a campaign, including, without limitation: (a) office expenses; (b) expenses related to volunteers; (c) expenses related to travel; (d) expenses related to advertising; (e) expenses related to paid staff; (f) expenses related to consultants; (g) expenses related to polling; (h) expenses related to special events; (i) expenses related to a legal defense fund; (j) contributions made to another candidate, a nonprofit corporation that is registered or required to be registered pursuant to [NRS 294A.225](#), a committee for political action that is registered or required to be registered pursuant to [NRS 294A.230](#), or a committee for the recall of a public officer that is registered or required to be registered pursuant to [NRS 294A.250](#); (k) fees for filing declarations of candidacy; and (l) repayment or forgiveness of a loan. The definition of “Campaign Expenses” also includes expenditures as defined in [NRS 294A.0075](#) and the disposal of any unspent contributions ([NRS 294A.0035](#)).

○ EXPENDITURES DEFINED

“Expenditures” means money paid for advertising or communication on television, radio, billboards or posters, in newspapers or other periodicals or by mail, and all other money paid to advocate expressly the election or defeat of a clearly identified candidate or group of candidates or the passage or defeat of a clearly identified question or group of questions on the ballot, including any payments made to a candidate or any person who is related to the candidate within the second degree of consanguinity or affinity ([NRS 294A.0075](#)).

○ CANDIDATE DEFINED

“Candidate” means any person: (1) who files a declaration of candidacy; (2) whose name appears on an official ballot at any election; or (3) who has received contributions in excess of \$100 ([NRS 294A.005](#)).

○ REPORTING CAMPAIGN CONTRIBUTIONS AND EXPENSES

Every candidate must report all contributions and campaign expenses in excess of \$100 and multiple contributions from a single contributor that cumulatively exceed \$100. Every candidate must also report the aggregate total of all contributions and campaign expenses of \$100 or less, but they are not required to itemize contributions and campaign expenses of \$100 or less ([NRS 294A.120](#) and [294A.200](#)).

Every candidate must file the reports required, even though he or she: (a) withdraws his or her candidacy; (b) ends his or her campaign without withdrawing; (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 ([NRS 294A.350](#)).

A candidate who withdraws or loses in the primary may file all remaining required reports at one time as long as the candidate has disposed of any unspent or excess contributions, the candidate does not accept additional campaign contributions, the candidate has no additional campaign expenses relating to that office, and the candidate files the Notice of Completion of Campaign form ([NRS 294A.350](#)). A candidate that is later elected to office despite ending his or her campaign is subject to the contributions and expenses reporting requirements beginning with the next report that is due pursuant to those sections after his or her election to office ([NRS 294A.350](#)).

○ LOANS AND WRITTEN ACKNOWLEDGMENTS

A candidate must report loans guaranteed by a third party, forgiven loans, and written commitments for a contribution. A candidate must also report the amount of any loans obtained or forgiven, the names of any person who either guaranteed or forgave a loan, the amount of any written commitment, and the names of any person who made a written commitment ([NRS 294A.128](#)).

○ REPORTING OF CONTRIBUTIONS IN EXCESS OF \$10,000 BEFORE AN ELECTION YEAR

Every candidate who receives contributions in excess of \$10,000 in any year before the year of an election is required to file an Annual Contributions and Expenses (C&E) Report for that year and every year thereafter up to the election. The report must be filed on or before January 15th of the year immediately after the year in which the contributions are received. Each year thereafter before the election year, the candidate must file by January 15th his or her contributions and campaign expenses in excess of \$100 ([NRS 294A.125](#)) by filing an Annual C&E Filing report.

○ FILING CONTRIBUTIONS AND EXPENSES (C&E) REPORTS

Contributions and Expenses (C&E) Reports for judicial and non-judicial candidates must be filed electronically with the Secretary of State ([NRS 294A.120](#) and [294A.200](#)). To access the online filing system, please visit: www.nvsos.gov and click on the blue button “Campaign Finance”, and the Aurora Campaign Finance Disclosure appears.

The due dates for Contributions and Expenses (C&E) Reports for the 2020 election cycle are as follows:

Annual CE Filing: Due January 15, 2020 Period: January 1, 2019 – December 31, 2019
C&E Report #1: Due April 15, 2020 Period: January 1, 2020 – March 31, 2020
C&E Report #2: Due July 15, 2020 Period: April 1, 2020 – June 30, 2020
C&E Report #3: Due October 15, 2020 Period: July 1, 2020 – September 30, 2020
C&E Report #4: Due January 15, 2021 Period: October 1, 2020 – December 31, 2020
Annual CE Filing: Due January 15, 2021 Period: January 1, 2020 – December 31, 2020

**** Report 4 suffices for the 2021 Annual filing only if Report #s 1-3 were previously filed***

A candidate, including judicial candidates, may file a paper C&E Report only if: 1) the candidate did not receive or expend money in excess of \$10,000 after becoming a candidate; and (2) the candidate files an affidavit with the Secretary of State which states the candidate does not own or have the ability to access the technology necessary to file the report electronically and the candidate does not have the financial ability to obtain such technology. The affidavit must be signed under an oath to God or penalty of perjury and must be filed no later than fifteen (15) days before the report due date ([NRS 294A.3733](#)). Blank affidavits are available upon request from the Secretary of State’s office.

Please note that if a candidate files reports 1 through 3 in 2020, the fourth report due on January 15, 2021 only needs to cover the period from October 1, 2020 to December 31, 2020. The candidate is not required to file a separate Annual C&E Report because the entire calendar year will have already been reported. Please note that for candidates elected into office, the Annual C&E Filing report is required to be submitted by January 15th of each year the candidate is in office ([NRS 294A.120](#)).

○ PENALTIES FOR FAILURE TO FILE OR FOR FILING A LATE C&E REPORT

The Secretary of State may impose civil penalties on any candidate who fails to file his or her C&E Report or who files the report late. Each violation is subject to a civil penalty of up to **\$10,000** and payment of court costs and attorney's fees.

The penalty schedule for late filings is as follows:

1 – 7 days late	\$25 for each day the report is late
8 – 15 days late	\$50 for each day the report is late
16 days late or more	\$100 for each day the report is late
Maximum Penalty (NRS 294A.420); SB557 of the 2019 Legislative Session	\$10,000 and payment of court costs and attorney’s fees

** Violations may be referred to the Attorney General for enforcement.

○ CONTRIBUTION LIMITS

A person shall not make or commit to make a contribution to a candidate for any office, except a federal office (which is subject to federal reporting limits that are lower), in an amount that exceeds \$5,000 for the primary election and \$5,000 for the general election, regardless of the number of candidates for the office during the period:

- Beginning from 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**
- 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.

There are no constitutional or statutory limits on contributions made to groups such as political parties, committees sponsored by political parties, committees for political action, or committees for political action advocating passage or defeat of a ballot question ([NRS 294A.100](#)).

Every candidate who is defeated at a primary election and received a contribution from a person in excess of \$5,000 shall, not later than the 15th day of the second month after his or her defeat, return any money in excess of \$5,000 to the contributor ([NRS 294A.160](#)).

- CONTRIBUTIONS MADE IN THE NAME OF ANOTHER PERSON PROHIBITED

A person shall not make or assist in making a contribution in the name of another person. Accepting a contribution made by a person in the name of another person is also prohibited ([NRS 294A.112](#)).

- CAMPAIGN ACCOUNTS

Every candidate shall open and maintain a separate account in a financial institution located in the United States for the deposit of any contributions within one week of receiving a minimum contribution of \$100. The candidate shall not commingle the money in the campaign account with money collected for other purposes ([NRS 294A.130](#)). Candidates for judicial office should be aware that the Revised Nevada Code of Judicial Conduct also addresses this issue.

- ANONYMOUS CONTRIBUTIONS

Anonymous contributions in excess of \$100 are prohibited. A candidate who receives a contribution of \$100 or more from an anonymous or unidentifiable contributor shall, within 10 days after receiving the contribution, deliver the money to the State Treasurer or donate it to a nonprofit entity ([NRS 294A.190](#)).

- PERSONAL USE OF CAMPAIGN FUNDS

It is unlawful for a candidate to spend money received as a contribution for his or her personal use ([NRS 294A.160](#)). The term “personal use” has been defined in SB557, Sec. 3, of the 2019 Legislative Session which means any use of contributions to fulfill a commitment, obligation or expense of: 1. A candidate that would exist irrespective of his or her campaign. 2. A public officer that would exist irrespective of the duties of his or her public office, as applicable.

Additionally, the legislative history surrounding the personal use prohibition indicates the legislature intended to disallow expenditures of campaign monies for typical personal and household expenses such as food, clothing, rent, utilities, and the like. Federal law and persuasive authority from other states indicate, as a more general rule, that [NRS 294A.160](#) prohibits the use of funds in a campaign account if the particular use would fulfill a commitment, obligation, or expense that would exist irrespective of the candidate's campaign or duties as an officeholder ([Nevada Attorney General Opinion 2002-23](#)).

- IN-KIND CONTRIBUTIONS

In-kind contributions are the value of goods and services provided in kind for which money would have otherwise been paid, such as paid polling and resulting data, paid direct mail, paid solicitation by telephone, any paid paraphernalia that was printed or otherwise produced to promote a campaign, and the use of paid personnel to assist in the campaign. In-kind contributions must be reported on C&E reports that are filed with the Secretary of State’s office ([NRS 294A.362](#) and [294A.007](#)).

- RESTRICTIONS ON ACCEPTANCE OF CONTRIBUTIONS PRIOR TO LEGISLATIVE SESSION

A legislator, governor, governor-elect, lieutenant governor, and lieutenant governor-elect may not solicit or accept a contribution during the period beginning 30 days before and ending 30 days after a regular session of the Nevada Legislature (i.e., January 2, 2021 through July 1, 2021). If a special session is called, a legislator, governor, governor-elect, lieutenant governor and lieutenant governor-elect, may not solicit or accept a campaign contribution during a period prior to the beginning of the special session and ending 15 days after the final adjournment of a special session ([NRS 294A.300](#)). These restrictions also apply to a member of an organization whose primary purpose is to provide support for legislators of a particular political party and house, such as legislative caucuses ([NRS 294A.310](#)).

- DISPOSITION OF UNSPENT CONTRIBUTIONS REPORT

Candidates who are defeated or who withdraw from a race must file all four C&E reports, with the final C&E report that shows how any remaining funds were disposed of. State law specifically limits the manner in which unspent contributions may be disposed ([NRS 294A.160](#)). Candidates who are elected to office may keep unspent campaign funds and use them for the candidate's next election ([NRS 294A.160](#)).

- ENDING OF A CAMPAIGN

If a candidate withdraws, ends his or her campaign without withdrawing, is defeated in the primary election, or is removed from the ballot by court order and no other financial activity will occur, a candidate may file a Notice of Completion of Candidacy with the Secretary of State ending his or her campaign. After the candidate disposes of any unspent campaign funds and files the Notice of Completion of Candidacy, the candidate may file all remaining C&E Reports simultaneously ([NRS 294A.350](#)).

- FINANCIAL DISCLOSURE STATEMENT (FDS)

Nevada law requires a candidate for public office to electronically file a Candidate Financial Disclosure Statement (FDS) with the Secretary of State if the candidate will be entitled to receive annual compensation of \$6,000 or more for serving in the office the candidate is seeking. Candidates for the office of Legislator must file a FDS regardless of compensation. The Candidate FDS is due 10 days after the last day to file a declaration of candidacy, which is March 23, 2020 for non-judicial candidates. Additionally, candidates elected to office must file an FDS by January 15th of each year they hold office, including the last year of their term ([NRS 281.561](#)). Candidates for judicial office should be aware that their FDS must be filed with the [Administrative Office of the Courts](#) (AOC) and not the Secretary of State's office. Failure to file an FDS is punishable by civil penalties of up to **\$2,000** ([NRS 281.581](#)).

- SPECIAL FILING REQUIREMENTS FOR FEDERAL CANDIDATES

Candidates for federal office are required to file campaign finance reports with the Federal Election Commission (FEC). All federal candidates are encouraged to contact the FEC for other requirements.

FEDERAL ELECTION COMMISSION
1050 FIRST STREET, NE.
WASHINGTON, D.C. 20463
PHONE: (800) 424-9530 OR (202) 694-1000
TTY: (202) 219-3336
EMAIL: info@fec.gov

FREQUENTLY ASKED CAMPAIGN FINANCE QUESTIONS

Q: Is there a limit to the amount of contributions I can accept as a candidate from one donor?

A: Yes. The limit is \$5,000 for the primary election and \$5,000 for the general election, for a maximum of \$10,000. If you receive more than \$5,000 from any person and lose the primary election, you must return any amount in excess of \$5,000 to the contributor ([NRS 294A.100](#) and [NRS 294A.160](#)).

Q: What if I don't have a primary election? Can I still receive the maximum of \$10,000?

A: Yes, except candidates in cities where they do not hold a primary election. (Interpretation of the Secretary of State 97-2)

Q: Is there a limit to the amount of contributions a Committee for Political Action (PAC) can receive from one donor?

A: No. There is no limit to the amount of contributions a PAC can receive or give to another PAC. However, PACs are still limited as to the amount they can contribute to an individual candidate ([NRS 294A.100](#)).

Q: What is an in-kind contribution?

A: The value of goods or services provided in kind for which money would have otherwise been paid ([NRS 294A.007](#)). For example, a person donates billboard space to a candidate free of charge. This would be an in-kind contribution, the value of which would be what it would normally cost to rent the billboard space.

Q: Can I make an anonymous contribution to a candidate?

A: No. Anonymous contributions of \$100 or more are prohibited ([NRS 294A.190](#)).

Q: Can I make a contribution to a candidate in the name of another person?

A: No. Making a contribution in the name of another person, sometimes known as conduit or straw contributions, is prohibited by law ([NRS 294A.112](#)).

Q: Are the C&E Reports the only finance forms I have to file?

A: No. Financial Disclosure Statements (FDSs) must also be filed with the Secretary of State ([NRS 281.561](#)).

Q: Do all candidates have to file C&E Reports?

A: Yes. Every candidate (excluding federal candidates) must file all four C&E reports even if he or she withdraws their candidacy, ends his or her campaign without withdrawing, receives no contributions, has no expenses, is defeated in the primary election, has their name removed from the ballot by court order, runs unopposed, or is the subject of a petition to recall and the special election is not held ([NRS 294A.120](#); [NRS 294A.200](#); and [NRS 294A.350](#)).

Q: Can I mail or fax my C&E Report to the appropriate filing officer?

A: No. All C&E Reports must be filed electronically with the Secretary of State. A candidate may file a paper report only if: 1) the candidate did not receive or expend money in excess of \$10,000 after becoming a candidate; and (2) the candidate files an affidavit with the Secretary of State that states the candidate does not own or have the ability to access the technology necessary to file the report electronically and the candidate does not have the financial ability to obtain such technology. The affidavit must be signed under an oath to God or penalty of perjury. This form must be filed with Secretary of State not later than 15 days before the C&E Report is required to be filed ([NRS 294A.3733](#)).

Q: What happens if I file my C&E Report(s) late?

A: There is a civil penalty of up to \$10,000 per violation ([NRS 294A.420](#)).

1 – 7 days late	\$25 for each day the report is late
8 – 15 days late	\$50 for each day the report is late
16 days late or more	\$100 for each day the report is late
Maximum Penalty (NRS 294A.420); SB557 of the 2019 Legislative Session	\$10,000 and payment of court costs and attorney’s fees

Q: What happens if I do not file my C&E Report(s) at all?

A: In addition to any civil penalty of up to \$10,000 per violation (see, SB557 of the 2019 Legislative Session), your file may be referred to the Attorney General’s office for further action ([NRS 294A.420](#)). Please note that even if you have missed the deadline to file a report, you are still required to file the report.

Q: Can I pay the penalty out of my campaign account?

A: No. Pursuant to [NRS 294A.160](#), personal use of campaign funds is prohibited.

Q: What must a candidate do prior to accepting donations?

A: Every candidate shall open and maintain a separate account in a financial institution located in the United States for the deposit of any campaign contributions within one week of receiving a minimum contribution of \$100 ([NRS 294A.130](#)).

Q: When is the Financial Disclosure Statement (FDS) due?

A: See [NRS 281.559](#) and [NRS 281.561](#)

- Non-Judicial Candidates who are entitled to receive \$6,000 or more: March 23, 2020 (Judicial Candidates: Contact the Administrative Office of the Courts)
- All Candidates for the Office of Legislator: March 23, 2020
- Seated Public Officers: January 15, 2020
- Appointed Public Officers: 30 days after appointment

Q: What happens if I fail to timely file a Financial Disclosure Statement (FDS) or do not file one at all?

A: There is a civil penalty of up to \$2,000 per violation provided by law and your file may be remanded to the Attorney General’s office if you fail to pay the penalty ([NRS 281.581](#)). Below is the FDS penalty schedule:

1 – 10 days late	\$25
11 – 20 days late	\$50
21 – 30 days late	\$100
31 – 45 days late	\$250
Not filed or more than 45 days late	\$2,000

Q: Can I pay campaign expenses out of my own funds and later reimburse myself out of campaign contributions?

A: Yes, but you must report both the expense and the reimbursement. This is accomplished by reporting a contribution in the form of a loan from the candidate to the campaign in the amount of the expense that was paid for with personal funds. Contributions that are intended as a loan

can be marked as such on the C&E Report. The reimbursement to the candidate is reported as a campaign expense under Category M – Repayment of Forgiveness of Loans.

Q: Do I need to report donated or discounted goods or services that are provided to my campaign?

A: Yes. Donated goods or services are an in-kind contribution, and the standard cost of donated good or services must be reported as such. With respect to discounted goods or services, the difference between the standard cost for the goods or services and the discounted cost is considered an in-kind contribution and must be reported.