Protection of Voter Registration Procedures in Response to ACORN

- Requires organizers of voter registration drives to register with the Secretary of State and receive training on Nevada law before registering voters.
- ➤ Prohibits a voter registration agency from knowingly employing a person who registers voters if that person has been convicted of a felony involving theft, fraud or dishonesty; and authorizes the Secretary of State to impose a fine of up to \$5,000/person employed in violation of law
- ➤ Prohibits a clerk from appointing any person as a field registrar who has been convicted of a felony involving theft, fraud or dishonesty

<u>Penalties for Elections Violations (these can easily be grouped into a couple sentences)</u>

- ➤ Increases penalty for intimidating voters from a gross misdemeanor to a category E felony
- ➤ Increases penalty for person who interferes with the conduct of an election from a gross misdemeanor to a category C felony
- ➤ Increases penalty for the removal or destruction of certain voting supplies and equipment from a gross misdemeanor to a category B felony, punishable by a term of between 2-10 years in state prison
- ➤ Increases penalty for a person who tampers or interferes with elections equipment with the intent of preventing the proper operation of the equipment from a gross misdemeanor to a category B felony, punishable by a term of between 2-10 years in state prison;
 - O Adds provision that if the same acts are committed or attempted with the intent of influencing the outcome of an election, that person is guilty of a category A felony, punishable by a definite term of 40 years, with eligibility for parole after 15 years served
- Adds failure of field registrar or person to submit completed voter registration applications to a clerk on the basis of a person's political party affiliation to list of prohibited acts, and increases penalty from a Category E to Category C felony

C&E Measures

- ➤ **Reporting Periods**: Approximately 60% of Nevada voters cast their ballot before Election Day. Therefore, contributions and expenses reports for candidates, PACS, and BAGS must be received 4 days before *early* voting in both the primary and general elections begins.
 - o A second report is due the Friday before the day of the primary and general elections.
- ➤ Online Filing of Reports: Requires certain candidates for office, PAC's, BAG's, Independent Expenditures, Recall Committees, and legal defense funds to file

campaign contribution reports electronically with the Secretary of State and deems reports filed on the date received by the SoS or city clerk, not the date of postmark.

- o Requires city clerks who maintain an elections-related website to include candidate information and campaign finance reports on the website
- ➤ PAC Reporting: Currently, Nevada law allows PACS to exist in perpetuity with no requirement to file a report, even though they may be raising hundreds of thousands of dollars. This bill requires PAC's to file updated registration forms with the Secretary of State annually by January 15 of each year.
- Financial Disclosure Reports: Requires candidates for public office and appointed officials to file financial disclosure reports with the Secretary of State. These reports must be submitted electronically, and are deemed filed at the date of receipt by the Secretary of State.

Issues Uncovered in the 2010 Election

- ➤ **Independent Expenditures:** Requires a person or corporation making an independent expenditure who has received \$100 or more to register with the Secretary of State prior to making such expenditure.
 - O **Limits**: A person who contributes to a PAC that makes independent expenditures exclusively in support of, or in opposition to, a single candidate, the contribution is subject to the per-candidate, per-election limit in 294A.100 (\$10,000).
 - O Disclaimer Requirement for Independent Expenditures: A disclaimer must accompany every advertisement made on behalf of a candidate, and must state
 - that the communication is not authorized by any candidate or the candidate's committee; and
 - Identify the name and street address, telephone number or World Wide Web address of the person who financed the communication.
 Here is an example of a disclaimer notice for a printed independent

expenditure paid for by XYZ PAC:

Paid for by the XYZ PAC and not authorized by any candidate or candidate's committee. Contact us at: XYZ PAC,

1 West 1st Street, Your City, NV

➤ **Reporting:** During election years, persons and groups making independent expenditures must disclose large donations within 24 hours for the four weeks leading up to the primary and the last four weeks before the general election. The registration requirement is triggered when businesses or independent funds spend more than \$100.