

Initiative Petition

State of Nevada

The People of the State of Nevada do enact as follows:

Section 1. This act shall be commonly known as the Protect Nevada Employee Paychecks from Politics Act.

Section 2. Section 608.112 is added to the Payment and Collection of Wages and Other Benefits Code of the Nevada Revised Statutes to read:

1. In order to protect the ability of the citizens of Nevada to make their own decisions in the political process and to ensure that all political contributions are knowing and voluntary, no employer in the state, public or private, may deduct or facilitate the deduction of payments from any employee's paycheck for political purposes without the express annual written permission of the employee.

2. "Political Purposes" means funds used as a direct or independent expenditure in support of a candidate, a slate of candidates, or a political party for any public election; in support of or opposition to any referendum or voter initiative; in support of or opposition to any pending or potential legislation; any contribution to a political action committee; or to support a political action committee or other group for the purpose of making such expenditures.

3. If a deduction is made from an employee's paycheck for multiple purposes, the employer shall obtain from the entity to which the deducted funds are directed a statement assuring that no funds are used for political purposes or a statement of the maximum percentage of funds that are used for political purposes. The employer shall not deduct any funds beyond those specified for non-political purposes without the express annual written permission of the employee.

4. Improper deductions for political purposes, or inaccurate statements regarding the use of employer-collected funds for political purposes, shall be subject to a fine of no less than \$10,000 per occurrence. The Attorney General shall have the authority to issue reasonable regulations regarding the form of necessary permission from employees and statements by funded entities.

5. This act does not apply to deductions for employee benefit, pension, savings, or health plans or to charitable contributions.

6. Nothing in this part is intended to, or may be construed to, preempt any requirement of federal law.

7. This act should be construed broadly to achieve the purposes of the act.

8. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

DESCRIPTION OF EFFECT

"This initiative would change Nevada law and prohibit employers from using any portion of workers' paychecks for political activities without the express written permission of the employee. Written permission would be required to be obtained annually. Improper deductions for political purposes would subject the employers to a fine of no less than \$10,000 per occurrence. This act does not apply to deductions for employee benefit, pension, savings, or health plans or to charitable contributions and is not intended to preempt federal law."

THE FOLLOWING AFFIDAVIT MUST BE COMPLETED AND SIGNED.

AFFIDAVIT OF CIRCULATOR

(TO BE SIGNED BY CIRCULATOR)

STATE OF NEVADA)
)
COUNTY OF _____)

I, _____, (print name), being first duly sworn under penalty of perjury, depose and say: (1) that I reside at _____ (print street, city and state); (2) that I am 18 years of age or older; (3) that I personally circulated this document; (4) that all signatures were affixed in my presence; (5) that I believe each person who signed was at the time of signing a registered voter in the county of his residence; (6) that the number of signatures affixed thereon is _____; and (7) that each person who signed had an opportunity before signing to read the full text of the act or resolution on which the initiative or referendum is demanded.

Signature of Circulator

Subscribed and sworn to or affirmed before me this
_____ day of _____, _____, by _____.

Notary Public or person to administer oath

AF

ROSS MILLER
SECRETARY OF STATE
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LAS VEGAS, NEVADA