



**State of Nevada  
COMMISSION ON ETHICS**

704 W. Nye Lane, Suite 204  
Carson City, Nevada 89703  
(775) 687-5469 • Fax (775) 687-1279  
<http://ethics.nv.gov>

**NOTICE**

**Date:** October 18, 2010

**To:** Nevada County Clerks; City Clerks; Registrars of Voters; Director, Legislative Counsel Bureau; and Chief, Budget Division, Department of Administration

**From:** Caren Jenkins, Esq., Executive Director

**Cc:** Matthew Griffin, Deputy Secretary of State for Elections

**Re:** **Request for List of Public Officers Required to File a Financial Disclosure Statement and/or Acknowledgment of Statutory Ethical Standards Form**

***No later than December 1, 2010, you must submit*** to the Ethics Commission and the Secretary of State **an electronic list of elected and appointed public officers in your jurisdiction**, including the public officers of all other local governments, or in your branch of government. See NRS 281A.640. Please do not include judges and officers of the court system, county health officers, advisory board members, special district officers, or other public officers who do not formulate a budget or authorize the expenditure of the public money.

Attached is the prescribed form for the list. Please transmit it in electronic form as an Excel document to [ncoe@ethics.nv.gov](mailto:ncoe@ethics.nv.gov) and [kgeiser@sos.nv.gov](mailto:kgeiser@sos.nv.gov). Please note that the form is revised each year. **DO NOT attempt to use an older version.** If you have any difficulties, please contact Mike Vavra at [mvavra@ethics.nv.gov](mailto:mvavra@ethics.nv.gov).

The Ethics Commission mails or emails reminders about filing deadlines to public officers at the addresses you supply. Occasionally, clerks have listed the city or county's mailing address for each officer, but **please send us their direct addresses.**

Please also note that, while only some public officers are required to file a Financial Disclosure Statement, **ALL** elected and appointed **public officers must file an Acknowledgement** of Statutory Ethical Standards, regardless of their entitlement to annual compensation. Therefore, please include information regarding this form in your candidate guides for all elections. Additionally, if your office interacts with any appointed public officers between elections, you can help by notifying them of the filing requirement upon the appointment.

Thank you for your timely assistance. If you have any questions, please contact me at 775-687-5469 ext. 222.

**NRS 281A.160 defines “public officer”:**

**1. “Public officer” means a person elected or appointed to a position which:**

- (a) Is established by the Constitution of the State of Nevada, a statute of this State or a charter or ordinance of any county, city or other political subdivision; and
- (b) Involves the exercise of a public power, trust or duty. As used in this section, “the exercise of a public power, trust or duty” means:
  - (1) Actions taken in an official capacity which involve a substantial and material exercise of administrative discretion in the formulation of public policy;
  - (2) The expenditure of public money; and
  - (3) The administration of laws and rules of the State or any county, city or other political subdivision.

**2. “Public officer” does not include:**

- (a) Any justice, judge or other officer of the court system;
- (b) Any member of a board, commission or other body whose function is advisory;
- (c) Any member of a special district whose official duties do not include the formulation of a budget for the district or the authorization of the expenditure of the district’s money; or
- (d) A county health officer appointed pursuant to NRS 439.290.

**ACKNOWLEDGEMENT OF STATUTORY ETHICAL STANDARDS**

**NRS 281A.500** Acknowledgment of statutory ethical standards: Filing; contents; form; retention; penalty for willful refusal to file.

**1. Each public officer shall acknowledge that the public officer:**

- (a) Has received, read and understands the statutory ethical standards; and
- (b) Has a responsibility to inform himself or herself of any amendments to the statutory ethical standards as soon as reasonably practicable after each session of the Legislature.

**2. The acknowledgment must be executed on a form prescribed by the Commission and must be filed with the Commission:**

- (a) If the public officer is elected to office at the general election, on or before January 15 of the year following the public officer’s election.
- (b) If the public officer is elected to office at an election other than the general election or is appointed to office, on or before the 30th day following the date on which the public officer takes office.

**3. Except as otherwise provided in this subsection, a public officer shall execute and file the acknowledgment once for each term of office. If the public officer serves at the pleasure of the appointing authority and does not have a definite term of office, the public officer, in addition to executing and filing the acknowledgment after the public officer takes office in accordance with subsection 2, shall execute and file the acknowledgment on or before January 15 of each even-numbered year while the public officer holds that office.**

4. For the purposes of this section, the acknowledgment is timely filed if, on or before the last day for filing, the acknowledgment is filed in one of the following ways:

- (a) Delivered in person to the principal office of the Commission in Carson City.
- (b) Mailed to the Commission by first-class mail, or other class of mail that is at least as expeditious, postage prepaid. Filing by mail is complete upon timely depositing the acknowledgment with the United States Postal Service.
- (c) Dispatched to a third-party commercial carrier for delivery to the Commission within 3 calendar days. Filing by third-party commercial carrier is complete upon timely depositing the acknowledgment with the third-party commercial carrier.

\* \* \* \* \*

8. Willful refusal to execute and file the acknowledgment required by this section shall be deemed to be:

- (a) A willful violation of this chapter for the purposes of NRS 281A.480; and
- (b) Nonfeasance in office for the purposes of NRS 283.440 and, if the public officer is removable from office pursuant to NRS 283.440, the Commission may file a complaint in the appropriate court for removal of the public officer pursuant to that section. This paragraph grants an exclusive right to the Commission, and no other person may file a complaint against the public officer pursuant to NRS 283.440 based on any violation of this section.

| WHO IS REQUIRED TO FILE ACKNOWLEDGEMENT OF STATUTORY ETHICAL STANDARDS FORM:  | WHEN (Due Date):   |
|---|--|
| <b>Appointed</b> public officer.  | Within 30 days of taking office, for each term of office.  |
| <b>Elected</b> public officer who is elected at general election.   | Jan. 15th of the year following the general election, for each term of office.                         |
| <b>Elected</b> public officer who is elected at an election other than the general election.  | Within 30 days of taking office, for each term of office.  |
| <b>Appointed</b> public officer who serves at the pleasure of the appointing authority and does not have a definite term of office. | Within 30 days of taking office and then Jan. 15th every even-numbered year while holding that office. |

**File completed form with:**

**Nevada Commission on Ethics  
704 W. Nye Lane, Suite 204  
Carson City, Nevada 89703**

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