

## NEVADA COMMISSION ON ETHICS REQUEST FOR AN ADVISORY OPINION

NRS 281A.670 to 281A.690

**(CONFIDENTIAL)**

<b>YOUR NAME:</b>	<b>TITLE OF PUBLIC OFFICE YOU HOLD:</b>	
<b>PUBLIC ENTITY:</b> <i>(Name of entity employing this position)</i>	<b>DATE APPOINTED OR ELECTED:</b>	<b>TERM OF OFFICE:</b> <i>(# years)</i>
<b>PREFERRED ADDRESS:</b>	<b>CITY, STATE, ZIP:</b>	<b>PREFERRED PHONE NO.</b>
<b>PREFERRED EMAIL:</b>	<b>ARE YOU REPRESENTED BY AN ATTORNEY?</b> <input type="checkbox"/> <i>(If checked, please complete Section 7)</i>	

1)  Yes  No

I request the Commission's advice concerning the propriety of my own past, present or future conduct in my public position under the statutory ethical standards set forth in NRS Chapter 281A. (NRS 281A.675). **You must detail all necessary facts and circumstances in Section 9.**

2)  Yes  No

I request advice regarding the applicability of NRS 281A.430, (prohibited government contracts) to my own circumstances and/or whether relief from the strict application of NRS 281A.430 is proper pursuant to NRS 281A.430(6). **You must detail all necessary facts and circumstances in Section 9.**

3)  Yes  No

I request advice regarding the applicability of NRS 281A.410, 281A.550(3) and/or NRS 281A.550(5), "cooling-off" or "revolving door" prohibitions, to my own circumstances and/or whether relief from the strict application of the provisions of NRS 281A.550(3) or 281A.550(5) is proper under NRS 281A.550(6). Unless permitted by NRS 281A.410(3), relief from the strict application of the provisions of NRS 281A.410 is not available. **You must detail all necessary facts and circumstances in Section 9.**

4)  Yes  No

This request, any related proceedings and any opinion rendered by the Commission are confidential unless I expressly waive confidentiality or it is deemed to have been waived by my conduct. I understand that any release of the fact or the content of this request may be considered a waiver. (NRS 281A.685).

5)  Yes  No

My past, present or anticipated future conduct is the subject of an action currently pending before the Commission or another administrative or judicial body? If yes, describe:

6)  Yes  No

I have sought guidance from an attorney who advises my public body or public employer. Explain why or why not:

7) If represented by an attorney with respect to this request for advisory opinion, please provide the following information:

Attorney Name:	Firm:	Phone:
Address:		Email:

8) NRS Chapter 281A requires public officers and employees to uphold the public trust and avoid conflicts between public duties and private interests. (NRS 281A.020) Please check any of the following provisions of NRS Chapter 281A that cause you concern in this matter.

	<b>Statute:</b>	<b>Statutory Summary:</b>
<input type="checkbox"/>	NRS 281A.400(1)	Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity for yourself or person to whom you have a commitment in a private capacity which would tend improperly to influence a reasonable person in your position to depart from the faithful and impartial discharge of your public duties.
<input type="checkbox"/>	NRS 281A.400(2)	Using your position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for yourself, any business entity in which you have a significant pecuniary interest, or any person to whom you have a commitment in a private capacity.
<input type="checkbox"/>	NRS 281A.400(3)	Participating as an agent of government in the negotiation or execution of a contract between the government and yourself, and any business entity in which you have a significant pecuniary interest or any person to whom you have a commitment in a private capacity.*
<input type="checkbox"/>	NRS 281A.400(4)	Accepting any salary, retainer, augmentation, expense allowance or other compensation from any private source for yourself or any person to whom you have a commitment in a private capacity for the performance of your duties as a public officer or employee.
<input type="checkbox"/>	NRS 281A.400(5)	Acquiring, through your public duties or relationships, any information which by law or practice is not at the time available to people generally, and using the information to further the pecuniary interests of himself or any other person or business entity.
<input type="checkbox"/>	NRS 281A.400(6)	Suppressing any governmental report or other document because it might tend to affect unfavorably your pecuniary interests, or any person to whom you have a commitment in a private capacity.
<input type="checkbox"/>	NRS 281A.400(7)	Using governmental time, property, equipment or other facility to benefit your significant personal or financial interest, or any person to whom you have a commitment in a private capacity. (Some limited use exceptions apply).
<input type="checkbox"/>	NRS 281A.400(8)	A State Legislator using governmental time, property, equipment or other facility for a nongovernmental purpose or for the private benefit of yourself or any other person, or requiring or authorizing a legislative employee, while on duty, to perform personal services or assist in a private activity. (Some exceptions apply).
<input type="checkbox"/>	NRS 281A.400(9)	Attempting to benefit your personal or financial interest or any person to whom you have a commitment in a private capacity through the influence of a subordinate.
<input type="checkbox"/>	NRS 281A.400(10)	Seeking other employment or contracts for yourself or any person to whom you have a commitment in a private capacity through the use of your official position.
<input type="checkbox"/>	NRS 281A.410	Representing or counseling a private person on an issue pending before the agency while employed, or within 1 year after leaving the service of the agency, including before any state agency of the Executive or Legislative Department. (Exceptions apply for state and local legislators and part time public officers and employees before agencies they do not serve, except local legislators may not represent/counsel private persons for compensation before other agencies within the same county).
<input type="checkbox"/>	NRS 281A.420(1)	Failing to sufficiently disclose an official matter that is reasonably affected by your acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.
<input type="checkbox"/>	NRS 281A.420(3)	Failing to abstain from acting on an official matter which is materially affected by your acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.
<input type="checkbox"/>	NRS 281A.430	Negotiating, bidding on or entering into a government contract in which you have a significant pecuniary interest.
<input type="checkbox"/>	NRS 281A.500	Failing to file or timely file a Nevada Acknowledgment of Ethical Standards for Public Officers form.
<input type="checkbox"/>	NRS 281A.510	Accepting or receiving an improper honorarium.
<input type="checkbox"/>	NRS 281A.520	Requesting or otherwise causing a governmental entity to incur an expense or make an expenditure to support or oppose a ballot question or candidate during the relevant timeframe.
<input type="checkbox"/>	NRS 281A.550	Negotiating or accepting employment from a business or industry regulated by or contracted with former public agency within one year after leaving the service of the agency. (Failing to honor the applicable "cooling off" period after leaving public service).

Pursuant to NRS 281A.065, a public officer or employee has a commitment in a private capacity to the following persons:

1. Spouse, domestic partner.
2. Household member.
3. Family member within 3<sup>rd</sup> degree of consanguinity.
4. Employer or spouse's/domestic partner's/household member's employer.
5. Substantial and continuing business relationship partner/associate.
6. Substantially similar relationships to those above.

9) Please describe the facts and circumstances related to your Request for an Advisory Opinion and attach any pertinent documentation. Check here  if additional pages/documents are attached.

**By my signature below, I affirm that the facts set forth in this document and all of its attachments are true and correct to the best of my knowledge and belief. I am willing to provide sworn testimony regarding information related to this request. I acknowledge that, pursuant to NRS Chapter 281A, this Request for an Advisory Opinion and the materials submitted in support of this request, are confidential unless I authorize their release or act in a manner that contravenes confidentiality pursuant to NRS 281A.685.**

REQUESTED BY:

\_\_\_\_\_  
SIGNATURE

DATE:

PRINT NAME:

**You may submit this Request for an Advisory Opinion using the Commission's online form submission at [ethics.nv.gov](http://ethics.nv.gov) (Preferred); or  
You may submit this form bearing your signature to the Executive Director at:  
Nevada Commission on Ethics, 704 W. Nye Lane, Suite 204, Carson City,  
Nevada, 89703; email [NCOE@ethics.nv.gov](mailto:NCOE@ethics.nv.gov); or fax (775) 687-1279.**