

NCOE

Legislative Committee

Agenda Item 3

2/26/26



**MINUTES
of the meeting of the
LEGISLATIVE COMMITTEE OF THE
NEVADA COMMISSION ON ETHICS**

The Commission on Ethics held a public meeting on
Wednesday, January 21, 2026, at 9:30 a.m.
at the following location:

**State Bar of Nevada
9456 Double R Blvd., Suite B
Reno, NV 89521**

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics Legislative Committee. A recording of the meeting is available for public inspection at the Commission's office and the [Commission's YouTube channel](#).

1. Call to Order and Roll Call.

Chair Kim Wallin, CPA, CMA, CFM, appeared in person in Reno and called the meeting to order at 9:30 a.m. Vice Chair Terry Reynolds and Commissioner John Miller also appeared via Zoom video conference. Present for Commission staff in Reno were Executive Director Ross E. Armstrong, Esq., Commission Counsel Elizabeth J. Bassett, Esq., Investigator Erron Terry, Senior Legal Researcher Caitlin Pagni, Acting Associate Counsel Curtis Hazlett, and Executive Assistant Elvira Saldaña. Outreach and Education Officer Sam Harvey appeared via Zoom video conference.

2. Public Comment.

There was no public comment.

3. Approval of Minutes of the November 12, 2025, Legislative Committee Meeting.

Chair Wallin asked if there were any changes or additions.

There were no recommendations for changes or additions.

Commissioner Miller moved to approve the November 12, 2025, Legislative Committee Meeting Minutes. Vice Chair Reynolds seconded the motion. The motion was put to a vote and carried unanimously.

4. Review and discussion of draft legislative language proposals and possible approval of legislative concepts to forward to the full Commission for consideration.

Chair Wallin introduced the item and asked Executive Director Armstrong for his presentation.

Executive Director Armstrong noted that the meeting materials include suggested legislative changes based on the topics previously brought forward by the committee. Legislative proposals will be due to the Governor's office by March 15 but that he received permission to submit the Commission's proposals after our March full Commission meeting. At the March Commission meeting, the Commission will need to approve the submission to the Governor's office. Executive Director Armstrong provided an overview of the legislative language proposals regarding mandatory training, unwarranted harm, gifts, stricter cooling off provision, and expansion of confidentiality provisions.

Chair Wallin asked committee members if there were any questions or thoughts.

Vice Chair Reynolds asked if the wording for gifts covers specific types of activities relating to events.

Executive Director Armstrong stated wording can be revised to state their attendance provides educational information related to their job.

Vice Chair Reynolds noted he does not agree with the strict cooling off period.

Executive Director Armstrong clarified that the language in the meeting materials is focused on NRS 281A.410, which is not about where you can go work. It relates to the lobbying prohibition for a year. It restricts a public officer or employee from lobbying their old agency within the 1-year period.

Vice Chair Reynolds commented he does not have an issue with that as described by Executive Director Armstrong.

Executive Director Armstrong noted that NRS 281A.410 is not an area where relief can be provided.

Chair Wallin commented she had the same concerns as Vice Chair Reynolds, however after the clarification she is ok with it.

Commissioner Miller commented that the gifts language is an improvement.

Executive Director Armstrong stated if the committee would like, it can be more prescriptive.

Commissioner Miller stated the language provides clarity, however not enough.

Executive Director Armstrong stated factors can be included.

Vice Chair Reynolds commented it would be helpful to add more clarity.

Executive Director Armstrong asked if there were any suggestions on factors or definitions to add.

Chair Wallin stated the language does not provide clarification on employees receiving gifts.

Commissioner Miller suggested referencing unsolicited gifts and defining what it means to seek a gift.

Chair Wallin stated that at the last Commission meeting Chair Scherer brought up disclosing the requester at some point, if confidentiality has been granted. Chair Wallin asked about thoughts on it.

Executive Director Armstrong responded that currently, if during the jurisdictional phase the Commission grants confidentiality, the requester's identity is not disclosed at any point.

Vice Chair Reynolds commented it is important to have some confidentiality.

Outreach and Education Officer Harvey asked what the benefit is of having the requester's information public.

Chair Wallin stated she thinks that coming from Chair Scherer, that the subject has a right to question the person who is accusing them.

Executive Director Armstrong stated part of the investigation process is to interview the requester and he does not know if there is any necessary reason to disclose who filed the complaint.

Committee members and staff further discussed confidentiality.

Chair Wallin asked committee members if there were any additional comments regarding the language proposals.

There were no additional comments.

Chair Wallin asked committee members whether the items should be split up into separate bills.

Vice Chair Reynolds stated he would not be in favor of splitting it up and recommended placing the top items into a comprehensive package.

Commissioner Miller concurred.

Committee members further discussed the language proposals and agreed with them.

Vice Chair Reynolds made a motion to approve the legislative items from the Executive Director with the recommendations discussed during the meeting regarding the items brought forward by the Executive Director. Commissioner Miller seconded the motion. The Motion was put to a vote and carried unanimously.

5. Commissioner Comments on matters including, without limitation, identification of future agenda items, upcoming meeting dates and meeting procedures.

The committee members discussed and agreed on February 26, 2026, at 4:00 p.m. as the next meeting.

6. Public Comment.

Scott Scherer commented he is not as concerned about the requester's identity as he is of the substance of the complaint and the process. Regarding training, since legislators technically take office as soon as they are elected and they have orientation in January, the committee may want to consider that timeframe.

7. Adjournment.

Commissioner Miller made a motion to adjourn the public meeting. Vice Chair Reynolds seconded the motion. The Motion was put to a vote and carried unanimously.

The meeting adjourned at 10:29 a.m.

Minutes prepared by:

/s/ Elvira Saldaña

Elvira Saldaña
Executive Assistant

/s/ Ross Armstrong

Ross Armstrong, Esq.
Executive Director

Minutes approved February 26, 2026

Kim Wallin, CPA, CMA, CFM
Chair

Terry Reynolds
Vice Chair

NCOE

Legislative Committee

Agenda Item 4

2/26/26



Statutory Language Options

Mandatory Training

NRS 281A.500

3. Each public officer shall, on or before the 30th day following the date on which they take office, complete an ethics training course covering the requirements of NRS 281A.400 through NRS 281A.550 inclusive.

4. Each public officer shall acknowledge that the public officer:

(a) Has received, read and understands the statutory ethical standards;

(b) Has completed an ethics training course covering the requirements of NRS 281A.400 through NRS 281A.550 inclusive, and

(c) 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.

...

12. Willful refusal to complete ethics training or 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.785 and 281A.790; 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.

Unwarranted Harm

A public officer or employee shall not use the public officer's or employee's position or power in government to take any actions or compel a subordinate to take any actions that would cause unwarranted harm or damage to another person to benefit a significant personal or pecuniary interests of the public officer or employee or any person to whom the public officer or employee has a commitment in a private capacity. As used in this section "unwarranted" means without justification or adequate reason.

Appearance of Impropriety

"Appearance of Impropriety" means a reasonable person would find, based on the given set of facts and circumstances, that a public officer's or public employee's limited use of governmental property, equipment or other facility for personal purpose is inappropriate, disproportionate, excessive, or unreasonable under that given set of facts and circumstance.

Gifts

“Gift” means something of economic value given to a public employee, public officer, or someone to whom they have a commitment in a private capacity without valuable consideration of equivalent value, including the full or partial forgiveness of indebtedness, which is not extended to others who are not public employees, public officers, or someone to whom they have a commitment in a private capacity or for valuable consideration less than that required from others who are not public employees or officers.

Alternative Definition (based on 5 C.F.R. 2635.203(b) and (c)):

Gift includes any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. It includes services as well as gifts of training, transportation, local travel, lodgings, and meals, whether provided in-kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred. The term excludes the following:

- (1) Modest items of food and non-alcoholic refreshments, such as soft drinks, coffee, and donuts, offered other than as part of a meal;
- (2) Greeting cards and items with little intrinsic value, such as plaques, certificates, and trophies, which are intended primarily for presentation;
- (3) Loans from banks and other financial institutions on terms generally available to the public;
- (4) Opportunities and benefits, including favorable rates, commercial discounts, and free attendance or participation available to the public or to a class consisting of all Government employees or all uniformed military personnel, whether or not restricted on the basis of geographic considerations;
- (5) Rewards and prizes given to competitors in contests or events, including random drawings, open to the public unless the employee's entry into the contest or event is required as part of the employee's official duties;
- (6) Pension and other benefits resulting from continued participation in an employee welfare and benefits plan maintained by a current or former employer;
- (7) Anything which is paid for by the Government or secured by the Government under Government contract;
- (8) Free attendance to an event provided by the sponsor of the event to:

(i) An employee who is assigned to present information on behalf of the agency at the event on any day when the employee is presenting;

(ii) An employee whose presence on any day of the event is deemed to be essential by the agency to the presenting employee's participation in the event, provided that the employee is accompanying the presenting employee; and

(iii) One guest of the presenting employee on any day when the employee is presenting, provided that others in attendance will generally be accompanied by a guest, the offer of free attendance for the guest is unsolicited, and the agency designee, orally or in writing, has authorized the presenting employee to accept;

(9) Any gift accepted by the Government under specific statutory authority, including:

(i) Travel, subsistence, and related expenses accepted by an agency under the authority of [31 U.S.C. 1353](#) in connection with an employee's attendance at a meeting or similar function relating to the employee's official duties which take place away from the employee's duty station, provided that the agency's acceptance is in accordance with the implementing regulations at [41 CFR chapter 304](#); and

(ii) Other gifts provided in-kind which have been accepted by an agency under its agency gift acceptance statute; and

(10) Anything for which market value is paid by the employee.

(c) **Market value** means the cost that a member of the general public would reasonably expect to incur to purchase the gift. An employee who cannot ascertain the market value of a gift may estimate its market value by reference to the retail cost of similar items of like quality. The market value of a gift of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is deemed to be the face value of the ticket.

[NRS 281A.400\(1\)](#) 1. A public officer or employee shall not seek or accept any gift, service, favor, employment, engagement, emolument or economic opportunity, for the public officer or employee or any person to whom the public officer or employee has a commitment in a private capacity, which would tend improperly to influence a reasonable person in the public officer's or employee's position to depart from the faithful and impartial discharge of the public officer's or employee's public duties.

- (a) When determining if a gift under this section “would tend improperly to influence a reasonable person to depart from the faithful and impartial discharge of the public officer’s or employee’s public duties” the Commission shall consider:
- I. Whether or not the giver of the gift is an individual with a substantial interest in the legislative, administrative, or other government action of the public officer or employee.
 - II. The value of the gift;
 - III. The ability of the public officer or employee to make official decisions regarding the individual or entity providing the gift;
 - IV. Any existing relationship between the giver and public officer or employee not related to their position as a public officer or employee;
 - V. The language used in the offering of the gift by the gift giver;
 - VI. Whether or not an event primarily provides educational information clearly related to the public officer’s or employee’s public duties;
 - VII. If the public officer’s or public employee’s attendance at an event is clearly for ceremonial purposes;
 - VIII. The extent to which event attendance offered to the public officer or employee is broadly available to the public and media in duration and scope;

Cooling Off – Strict One Year

NRS 281A.410 Limitations on representing or counseling private persons before public agencies; request for relief from strict application of certain provisions. In addition to the requirements of the code of ethical standards and the other provisions of this chapter:

1. Except as otherwise provided in NRS 678A.360, if a public officer or employee serves in a state agency of the Executive Department or an agency of any county, city or other political subdivision, the public officer or employee:

(a) Shall not accept compensation from any private person to represent or counsel the private person on any issue pending before the agency in which that public officer or employee serves, if the agency makes decisions; and

(b) If the public officer or employee leaves the service of the agency, shall not, for 1 year after leaving the service of the agency, represent or counsel for compensation a private person upon any issue ~~which was under consideration by~~ before the agency ~~during the public officer's or employee's service~~. As used in this paragraph, "issue" includes a case, proceeding, application, contract or determination, but does not include the proposal or consideration of legislative measures or administrative regulations.

Confidentiality Expansion

281A.750(2) Except as otherwise provided in subsection 3, if a person who files an ethics complaint asks that their identity as the requester be kept confidential, the Commission:

(a) Shall keep the identity of the requester confidential if they are a public officer or employee who works for the same public body, agency or employer as the public officer or employee who is the subject of the ethics complaint ~~or who worked at the same public body, agency or employer as the public officer or employee at the time of the alleged misconduct~~.

(b) May keep the identity of the requester confidential if they offer sufficient facts and circumstances showing a reasonable likelihood that disclosure of their identity will subject the requester or a member of their household to a bona fide threat of physical force or violence.

~~(c) May keep the identity of the requester confidential if they offers sufficient facts and circumstances showing a reasonable likelihood that disclosure of their identity would result in substantial economic harm to the requester or their household.~~