

**NCOE**

**Legislative Committee**

**Agenda Item 3**

**3/9/26**



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

The Commission on Ethics held a public meeting on  
Thursday, February 26, 2026, at 4:00 p.m.  
Virtually via Zoom as follows:

<https://us06web.zoom.us/j/84562117970>  
Zoom Meeting US Telephone Number: 1-253-205-0468  
Meeting ID: 845 6211 7970

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 via Zoom video conference and called the meeting to order at 4:03 p.m. Vice Chair Terry Reynolds and Commissioner John Miller also appeared via Zoom video conference. Present for Commission staff via Zoom video conference were Executive Director Ross E. Armstrong, Esq., Commission Counsel Elizabeth J. Bassett, Esq., Senior Legal Researcher Caitlin Pagni, and Executive Assistant Elvira Saldaña.

2. Public Comment.

Executive Director Armstrong reported that written public comment was received via email by Jeff Church and was provided to the committee members.

3. Approval of Minutes of the January 21, 2026 Legislative Committee Meeting.

Chair Wallin asked if there were any corrections or additions.

There were no recommendations for corrections or additions.

Commissioner Miller made a motion to approve the January 21, 2026 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 stated at the last meeting the committee agreed to move forward with all the topics that were discussed and requested additional gift language. Executive Director Armstrong noted that in the initial meeting materials, the definition of gift is included along with 8 different factors. In addition, between meetings, Chair Wallin found a definition based on federal language and that alternative definition is included. A hybrid version was also developed which includes the definition of gift with expressed exemptions and factors to consider.

Chair Wallin stated she worked with Executive Director Armstrong to develop the hybrid gift language and asked for comments from committee members.

Vice Chair Reynolds commented that he had concerns with the recent version of the hybrid gift language and felt it was excessive. Vice Chair Reynolds asked if it should be more succinct in the statute and have a larger definition within the Nevada Administrative Code.

Executive Director Armstrong responded that one of the challenges is that statutory authorization only allows the Commission to enact regulations related to procedure.

Vice Chair Reynolds suggested being succinct within the legislation and not attempt to try to cover everything or be too specific.

Commissioner Miller commented he is in favor of the hybrid gift model.

Chair Wallin stated there are only six items listed under the gifts section, of what is not a gift, and many are items that have come before the Commission.

Vice Chair Reynolds expressed concern about the likelihood of the Legislature approving the proposed language.

Chair Wallin commented the initial version did not offer sufficient clarity.

Commissioner Miller stated he supports either version, however the hybrid one provides more clarity.

Vice Chair Reynolds stated he did not disagree. Anything that can be done to move it forward is significant. Vice Chair Reynolds noted the need to provide enough clarity while keeping the language general, so the Commission is not limited to the specific examples or issues within the legislation.

Chair Wallin asked Vice Chair Reynolds what would be so constraining in the section of what is excluded from gifts.

Vice Chair Reynolds responded that the definition of gifts is fine. Some of the criteria outlined is too specific. Vice Chair Reynolds does not disagree with it, however, wants to ensure the Commission is not limiting itself in.

Chair Wallin asked Vice Chair Reynolds if another meeting should be scheduled to finalize the language.

Vice Chair Reynolds stated that would be his preference.

Executive Director Armstrong stated at the last meeting there was public comment regarding mandatory training and 30 days being too soon for legislators. Executive Director Armstrong asked if the committee would like to change the timeframe to a different period or make an exemption for legislators.

Vice Chair Reynolds suggested 60 days.

Executive Director Armstrong noted that "Cooling Off-Strict One Year" will be changed to "Lobbying."

Commissioner Miller made a motion to approve the mandatory training with the adjustment to a 60-day timeframe and the inclusion of lobbying, and to forward to the full Commission for consideration. Vice Chair Reynolds 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 March 9, 2026, at 10:00 a.m. as the next meeting.

6. Public Comment.

There was no public comment.

7. Adjournment.

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

The meeting adjourned at 4:31 p.m.

Minutes prepared by:

[/s/ Elvira Saldaña](#)

Elvira Saldaña  
Executive Assistant

[/s/ Ross Armstrong](#)

Ross Armstrong, Esq.  
Executive Director

Minutes approved March 9, 2026

Kim Wallin, CPA, CMA, CFM  
Chair

Terry Reynolds  
Vice Chair

DRAFT

**NCOE**

**Legislative Committee**

**Agenda Item 4**

**3/9/26**



## Statutory Language Options

March 9 Meeting

PREVIOUSLY APPROVED ON FEBRUARY 26, 2026

### **Mandatory Training**

NRS 281A.500

3. Each public officer shall, on or before the 60<sup>th</sup> 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.

### **Former Agency One Year Lobbying**

**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.

FOR APPROVAL

**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.

**Confidentiality Expansion**

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

- (a) Shall keep the identity of the requester confidential if he or she is 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 he or she offers sufficient facts and circumstances showing a reasonable likelihood that disclosure of his or her identity will subject the requester or a member of his or her household to a bona fide threat of physical force or violence.
- (c) **May keep the identity of the requester confidential if he or she offers sufficient facts and circumstances showing a reasonable likelihood that disclosure of his or her identity would result in substantial economic harm to the requester or his or her household.**

## **Gifts – Hybrid from Last Meeting**

“Gift” means something of monetary 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.

The term excludes the following:

- (1) Modest items of food and 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;
- (6) Free attendance to an event:
  - i. If the event primarily provides educational information clearly related to the public officer’s or employee’s public duties;
  - ii. If the public officer’s or employee’s attendance at a event is clearly for ceremonial purposes; or
  - iii. If the attendance offered to the public officer or employee is broadly available to the public and media in duration and scope.

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 may 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 monetary 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;

### **Gifts – Option B (Event Definitions Back to Factors for NRS 281A.400(1))**

“Gift” means something of monetary 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.

The term excludes the following:

- (1) Modest items of food and 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, 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;

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 may 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 monetary 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. If the event primarily provides educational information clearly related to the public officer's or employee's public duties;
- VII. If the public officer's or employee's attendance at an event is clearly for ceremonial purposes; or
- VIII. If the event attendance offered to the public officer or employee is broadly available to the public and media in duration and scope.

**Gifts - Option C (No Definition for Gift)**

For purposes of this chapter "gift" does not mean:

(1) Modest items of food and 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;

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.

(b) 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 seeking of the gift by the public officer or employee or 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;

#### Additional Factors Language – Similar to NRS 281A.775

The factors set forth in this section are not exclusive or exhaustive, and the Commission or the review panel, as appropriate, may consider other factors in the disposition of the matter if they bear a reasonable relationship to the determination of the severity of the violation or alleged violation.

In applying the factors set forth in this section, the Commission or the review panel, as appropriate, shall treat comparable situations in a comparable manner and shall ensure that the disposition of the matter bears a reasonable relationship to the severity of the violation or alleged violation.

#### Gifts Definition from 281

##### **NRS 281.5585 “Gift” defined.**

1. “Gift” means any payment, conveyance, transfer, distribution, deposit, advance, loan, forbearance, subscription, pledge or rendering of money, services or anything else of value, unless consideration of equal or greater value is received.

##### Adjusted definition

“Gift” means something of monetary value given to a public employee, public officer, or someone to who they have a commitment in a private capacity without valuable consideration of equivalent value.