



STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
Division of Human Resource Management
100 N. Stewart Street, Suite 200 | Carson City, Nevada 89701
Phone: (775) 684-0150 | www.hr.nv.gov

MEMORANDUM
HR#21-14

March 11, 2014

TO: Department Directors
Division Administrators
Personnel Liaisons
Personnel Representatives

FROM: Lee-Ann Easton, Administrator *Lee-Ann Easton*
Division of Human Resource Management

SUBJECT: ACKNOWLEDGMENT OF ETHICAL STANDARDS – NRS 281A.500

Please be advised that SB 228 of the 2013 Nevada Legislative Session amended NRS 281A.500 requiring that each new public official and employee of a state agency be provided with the statutory ethical standards prepared by the Ethics Commission. In order to meet the requirements of this statute, I am seeking your assistance in providing new public officers and employees in your agency with the required information and obtaining their signed acknowledgment. Current public employees are not required to complete an acknowledgement form. Any employee hired after January 1, 2014 would need to complete the agreement form.

Below are the requirements, definitions, and links to forms, statutes, and the Ethics in Government Manual.

WHO IS REQUIRED:	WHEN (Due Date):
New public employee	Within 30 days after a public employee begins employment
Appointed 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.
Appointed public officer.	Within 30 days of taking office, for each term of office.

The following statutes define the terms “Public officer” and “Public employee:”

NRS 281A.160 “Public officer” defined. [Effective January 1, 2014.]

1. “Public officer” means a person who is:
 - a) Elected or appointed to a position which:
 - (1) 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
 - (2) Involves the exercise of a public power, trust or duty; or
 - b) Designated as a public officer for the purposes of this chapter pursuant to NRS 281A.182.
 2. As used in this section, “the exercise of a public power, trust or duty” means:
 - (a) Actions taken in an official capacity which involve a substantial and material exercise of administrative discretion in the formulation of public policy;
 - (b) The expenditure of public money; and
 - (c) The administration of laws and rules of the State or any county, city or other political subdivision.
 3. “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.
 4. “Public office” does not include an office held by:
 - (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.
- (Added to NRS by 1985, 2121; A 1987, 2093; 1999, 883; 2001, 658, 1955, 2288; 2003, 116; 2005, 2302; 2009, 1047; 2013, 3765, effective January 1, 2014)—(Substituted in revision for NRS 281.4365)

NRS 281A.150 “Public employee” defined. “Public employee” means any person who performs public duties under the direction and control of a public officer for compensation paid by the State or any county, city or other political subdivision.

(Added to NRS by 1985, 2121; A 2009, 1047)—(Substituted in revision for NRS 281.436)

Please note elected officials have similar requirements which can be found NRS 281A.500.

Agency’s can meet the requirement of informing a public officer or employee of the ethical standards by either printing or providing the link to the public officer or public employee to the following: [Nevada Ethics in Government Manual](#) and [NRS 281A](#). Additionally, public officers will need to complete the [Nevada Acknowledgment of Ethical Standards for Public Officials](#) form and new public employees will need to complete the [Nevada Acknowledgment of Ethical Standards For Public Employees](#) form. Links to the forms, manual, and statute are also available on the Division’s website at: <http://hr.nv.gov/Resources/Forms/Ethics/Ethics/>.

If you have any questions regarding Nevada’s Ethical Standards and/or NRS 281A, please contact the Ethics Commission at ncoe@ethics.nv.gov or (775) 687-5469. If you have questions regarding completing and filing the form, please contact Shelley Blotter at sblotter@admin.nv.gov or at (775) 684-0105.