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ASSEMBLY BILL NO. 197—ASSEMBLYMEN DIAZ, SWANK,  
CARRILLO, ELLIOT ANDERSON; BENITEZ-THOMPSON,  
BUSTAMANTE ADAMS AND NEAL

FEBRUARY 26, 2015

Referred to Committee on Health and Human Services

SUMMARY—Establishes certain requirements for the operation of  
seasonal or temporary recreation programs.  
(BDR 38-506)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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AN ACT relating to care of children; establishing certain  
requirements for the operation of a seasonal or temporary  
recreation program; providing a civil penalty; and  
providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires a local government that operates an out-of-school  
2 recreation program to comply with certain health and safety standards and to  
3 comply with other requirements relating to the safety of participants in the program.  
4 (NRS 432A.610) Certain requirements for the staff of an out-of-school recreation  
5 program are set forth in existing law. (NRS 432A.620) Existing law further requires  
6 an out-of-school recreation program to maintain certain records regarding  
7 participants in the program. (NRS 432A.630) **Sections 11-13** of this bill make such  
8 requirements imposed on an out-of-school recreation program applicable to a  
9 nongovernmental person or entity that operates a seasonal or temporary recreation  
10 program. **Section 14** of this bill imposes a civil penalty not to exceed \$500 on a  
11 person who operates a seasonal or temporary recreation program for failure to  
12 comply with such requirements.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     **Section 1.** Chapter 432A of NRS is hereby amended by  
2 adding thereto the provisions set forth as sections 11 to 14,  
3 inclusive, of this act.

4     **Sec. 2.** (Deleted by amendment.)

5     **Sec. 3.** (Deleted by amendment.)

6     **Sec. 4.** (Deleted by amendment.)

7     **Sec. 5.** (Deleted by amendment.)

8     **Sec. 6.** (Deleted by amendment.)

9     **Sec. 7.** (Deleted by amendment.)

10    **Sec. 8.** (Deleted by amendment.)

11    **Sec. 9.** (Deleted by amendment.)

12    **Sec. 10.** (Deleted by amendment.)

13    **Sec. 11.** *A person who operates a seasonal or temporary*  
14 *recreation program shall ensure that each site upon which the*  
15 *program is conducted:*

16    1. *Complies with applicable federal, state and local laws and*  
17 *regulations concerning safety standards;*

18    2. *Complies with applicable federal, state and local laws and*  
19 *regulations concerning health standards;*

20    3. *Has a complete first-aid kit accessible on-site that complies*  
21 *with the requirements of the Occupational Safety and Health*  
22 *Administration of the United States Department of Labor;*

23    4. *Has an emergency exit plan posted on-site in a*  
24 *conspicuous place; and*

25    5. *Has at least one staff member on-site and available during*  
26 *the hours of operation who is certified and receives annual*  
27 *training in the use and administration of first aid, including,*  
28 *without limitation, cardiopulmonary resuscitation.*

29    **Sec. 12.** *A person who operates a seasonal or temporary*  
30 *recreation program shall complete, for each member of the staff of*  
31 *the program:*

32    1. *A background and personal history check; and*

33    2. *A child abuse and neglect screening through the Statewide*  
34 *Central Registry for the Collection of Information Concerning the*  
35 *Abuse or Neglect of a Child established by NRS 432.100 to*  
36 *determine whether there has been a substantiated report of child*  
37 *abuse or neglect made against the staff member.*

38    **Sec. 13.** 1. *The person who operates a seasonal or*  
39 *temporary recreation program shall maintain records containing*  
40 *pertinent information regarding each participant in the program.*  
41 *Such information must include, without limitation:*



1       (a) *The full legal name of the child and the preferred name of*  
2 *the child;*

3       (b) *The date of birth of the child;*

4       (c) *The current address where the child resides;*

5       (d) *The name, address and telephone number of each parent*  
6 *or legal guardian of the child and any special instructions for*  
7 *contacting the parent or legal guardian during the hours when the*  
8 *child participates in the program;*

9       (e) *Information concerning the health of the child, including,*  
10 *without limitation, any special needs of the child; and*

11       (f) *Any other information requested by the Division.*

12       2. *The distribution of any information maintained pursuant*  
13 *to this section is subject to the limitations set forth in*  
14 *NRS 239.0105.*

15       **Sec. 14.** *A person who operates a seasonal or temporary*  
16 *recreation program and who fails to comply with any provision of*  
17 *section 11, 12 or 13 of this act is subject to a civil penalty not to*  
18 *exceed \$500 for each failure to comply. The Attorney General or*  
19 *any district attorney of this State may recover the penalty in a civil*  
20 *action brought in the name of the State of Nevada in any court of*  
21 *competent jurisdiction.*

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