

ASSEMBLY BILL NO. 215—ASSEMBLYMEMBER MONROE-MORENO

PREFILED FEBRUARY 3, 2025

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to employment. (BDR 53-132)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility. 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.

AN ACT relating to employment; revising provisions relating to the employment of children; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 The federal Fair Labor Standards Act and existing state law establish certain
2 standards relating to the employment of children. (29 U.S.C. § 212, 29 C.F.R. Part
3 570; chapter 609 of NRS) When such federal and state standards are different, the
4 standards that provide the most protection to children apply. (29 U.S.C. § 218)
5 With certain exceptions, both existing federal and state law restrict the daily and
6 weekly number of hours worked in authorized employment by children who are 14
7 and 15 years of age. (29 C.F.R. § 570.35; NRS 609.240) With the exception of
8 working as certain messengers, existing state law does not place restrictions on the
9 times of day worked in authorized employment by children who are 14 years of age
10 and older and under 18 years of age. (NRS 609.230, 609.240) However, existing
11 federal law limits the times of day worked in authorized employment by children
12 who are 14 and 15 years of age to 7 a.m. to 7 p.m., except between June 1 and
13 Labor Day when the evening hours are extended to 9 p.m. (29 C.F.R. § 570.35)
14 **Section 2** of this bill prohibits, with certain exceptions, work between 10 p.m. and
15 5 a.m. on any night immediately preceding a school day by a child who is: (1)
16 enrolled in high school; (2) 16 years of age or older and under 19 years of age; and
17 (3) not emancipated. **Section 2** authorizes a school district or juvenile court to grant
18 an exemption from this time restriction in certain circumstances.

19 A person who violates the prohibitions relating to the employment of children:
20 (1) is guilty of a misdemeanor, which is punishable by imprisonment in the county
21 jail for not more than 6 months, or by a fine of not more than \$1,000, or by both
22 fine or imprisonment; and (2) may be liable for certain civil penalties. (NRS
23 193.150, 609.650, 609.652) These penalties apply to persons who violate the time
24 restrictions in **section 2**.



25 Existing law requires every employer in this State to conspicuously post on the
26 premises where any person is employed a printed abstract, furnished by the Labor
27 Commissioner, of the provisions relating to compensation, wages and hours of
28 employment. (NRS 608.013) **Section 1** of this bill requires the Labor
29 Commissioner to prepare an abstract of the provisions relating to the employment
30 of children and post the abstract to the Internet website maintained by the Office of
31 Labor Commissioner. **Section 1** also requires the Labor Commissioner to include
32 the abstract relating to the employment of children in a two-dimensional bar code,
33 commonly known as a QR code, or other machine-readable bar code used for
34 storing an Internet address, in the abstract relating to compensation, wages and
35 hours of employment that the Labor Commissioner is required to furnish to every
36 employer in this State.

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

1 **Section 1.** Chapter 609 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *The Labor Commissioner shall:*

4 1. *Prepare an abstract of this chapter;*

5 2. *Post the abstract on the Internet website maintained by the*
6 *Office of Labor Commissioner; and*

7 3. *Include the abstract in a two-dimensional bar code,*
8 *commonly known as a QR code, or other machine-readable*
9 *barcode used for storing an Internet address, in any abstract*
10 *furnished to an employer pursuant to NRS 608.013.*

11 **Sec. 2.** NRS 609.240 is hereby amended to read as follows:

12 609.240 1. No child under the age of 16 years may be
13 employed, permitted or suffered to work at any gainful occupation,
14 other than employment as a performer in the production of a motion
15 picture or work on a farm, more than 48 hours in any 1 week, or
16 more than 8 hours in any 1 day.

17 2. *Except as otherwise provided in this subsection and NRS*
18 *609.230, no child may be employed, permitted or suffered to work*
19 *at any gainful occupation, other than employment as a performer*
20 *in the production of a motion picture or work on a farm, between*
21 *10 pm. and 5 p.m. on any night immediately preceding a school*
22 *day if the child:*

23 (a) *Is enrolled in high school;*

24 (b) *Is 16 years of age or older and under 19 years of age; and*

25 (c) *Is not declared emancipated pursuant to NRS 129.080 to*
26 *129.140, inclusive.*

27 *↪ A school district or juvenile court may grant an exemption from*
28 *the restrictions of this subsection if the school district or juvenile*
29 *court, as applicable, determines the exemption is in the best*
30 *interest of the child.*



- 1 **3.** The presence of a child in any establishment during working
- 2 hours is prima facie evidence of employment of the child therein.

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