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ASSEMBLY BILL NO. 251—ASSEMBLYMEN GORELOW, ASSEFA,  
MCCURDY; BILBRAY-AXELROD, CARRILLO, DURAN,  
MARTINEZ, MILLER, MUNK, NEAL, NGUYEN, THOMPSON,  
TORRES AND YEAGER

MARCH 13, 2019

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JOINT SPONSORS: SENATORS PARKS;  
SCHEIBLE AND SPEARMAN

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Referred to Committee on Commerce and Labor

SUMMARY—Expands the employers subject to provisions  
prohibiting certain unlawful employment practices.  
(BDR 53-1046)

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

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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 employment practices; expanding the  
employers subject to provisions prohibiting certain  
unlawful employment practices; and providing other  
matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law prohibits an employer from engaging in various unlawful  
2 employment practices that result in discrimination which: (1) is based on a person’s  
3 race, color, religion, sex, sexual orientation, gender identity or expression, age,  
4 disability or national origin; or (2) relates to pregnancy, childbirth or related  
5 medical conditions. (NRS 613.330-613.345, 613.438, 613.4383) Existing law  
6 defines “employer” for the purpose of such employment practices to mean any  
7 person who has 15 or more employees for each working day in each of 20 or more  
8 calendar weeks in the current or preceding calendar year. (NRS 613.310) This bill  
9 expands that definition of employer to include any person who has five or more  
10 employees for each working day in each of 20 or more calendar weeks in the  
11 current or preceding calendar year.

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

1       **Section 1.** NRS 613.310 is hereby amended to read as follows:

2       613.310 As used in NRS 613.310 to 613.4383, inclusive,  
3 unless the context otherwise requires:

4       1. “Disability” means, with respect to a person:

5       (a) A physical or mental impairment that substantially limits one  
6 or more of the major life activities of the person, including, without  
7 limitation, the human immunodeficiency virus;

8       (b) A record of such an impairment; or

9       (c) Being regarded as having such an impairment.

10       2. “Employer” means any person who has ~~15~~ *five* or more  
11 employees for each working day in each of 20 or more calendar  
12 weeks in the current or preceding calendar year, but does not  
13 include:

14       (a) The United States or any corporation wholly owned by the  
15 United States.

16       (b) Any Indian tribe.

17       (c) Any private membership club exempt from taxation pursuant  
18 to 26 U.S.C. § 501(c).

19       3. “Employment agency” means any person regularly  
20 undertaking with or without compensation to procure employees for  
21 an employer or to procure for employees opportunities to work for  
22 an employer, but does not include any agency of the United States.

23       4. “Gender identity or expression” means a gender-related  
24 identity, appearance, expression or behavior of a person, regardless  
25 of the person’s assigned sex at birth.

26       5. “Labor organization” means any organization of any kind, or  
27 any agency or employee representation committee or plan, in which  
28 employees participate and which exists for the purpose, in whole or  
29 in part, of dealing with employers concerning grievances, labor  
30 disputes, wages, rates of pay, hours of employment or other  
31 conditions of employment.

32       6. “Person” includes the State of Nevada and any of its  
33 political subdivisions.

34       7. “Sexual orientation” means having or being perceived as  
35 having an orientation for heterosexuality, homosexuality or  
36 bisexuality.

