

(Reprinted with amendments adopted on June 4, 2017)

THIRD REPRINT

A.B. 423

ASSEMBLY BILL NO. 423—ASSEMBLYWOMEN
MILLER AND CARLTON

MARCH 27, 2017

JOINT SPONSORS: SENATORS CANNIZZARO, FARLEY, FORD,
HARRIS, RATTI, SEGERBLOM AND WOODHOUSE

Referred to Committee on Government Affairs

SUMMARY—Requires the Secretary of State to collect and report information related to gender equality in the workplace. (BDR 7-1047)

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.

AN ACT relating to gender equality; requiring the Secretary of State to conduct a survey of certain businesses to collect data and information related to issues of gender equality in the workplace; requiring the Secretary of State to make certain information relating to the survey available on the Internet and to submit an annual report regarding the survey to the Governor and the Director of the Legislative Counsel Bureau; requiring the Nevada Commission for Women to assist the Secretary of State in developing the survey; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 **Section 3.4** of this bill requires the Secretary of State to design and conduct a
2 survey of certain businesses which are applying for or renewing a state business
3 license in this State to collect data and information related to issues of gender
4 equality in the workplace. **Section 3.4** provides that a response to the survey is
5 voluntary but requires that if responses are provided, the survey be signed under the
6 penalty of perjury. **Section 3.6** of this bill requires the Secretary of State to make
7 available on the Internet website of the Office of the Secretary of State: (1) the
8 responses to the survey; and (2) aggregate data relating to the survey. **Section 3.6**



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9 also requires the Secretary of State to submit an annual report on the survey to the
10 Governor and the Director of the Legislative Counsel Bureau.
11 **Section 4.5** of this bill requires the Nevada Commission for Women to assist
12 the Secretary of State in developing the survey.

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

1 **Section 1.** Chapter 75A of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 3.2 to 3.8, inclusive, of
3 this act.

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

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

6 **Sec. 3.2.** *As used in sections 3.2 to 3.8, inclusive, of this act,*
7 *“business” has the meaning ascribed to it in NRS 76.020.*

8 **Sec. 3.4. 1.** *The Secretary of State shall design and conduct*
9 *an annual survey of businesses in this State for the purpose of*
10 *collecting data and information related to issues of gender*
11 *equality in the workplace.*

12 *2. The Secretary of State shall work in consultation with the*
13 *Nevada Commission for Women created by NRS 233I.020*
14 *regarding the content of the survey.*

15 *3. The Secretary of State shall cause the survey to be offered*
16 *through the state business portal to each business with operations*
17 *and employees in this State at the time the business submits to the*
18 *Secretary of State an online application for a state business license*
19 *pursuant to NRS 76.100 or an online renewal of a state business*
20 *license pursuant to NRS 76.130.*

21 *4. A business is not required to respond to the survey, and*
22 *neither the Secretary of State nor the Nevada Commission for*
23 *Women may penalize or otherwise take any adverse action against*
24 *a business that does not respond to the survey.*

25 *5. If a business responds to the survey, the response must be*
26 *signed under penalty of perjury by, as applicable:*

27 *(a) The owner of a business that is owned by a natural person;*

28 *(b) A member or partner of an association or partnership;*

29 *(c) A general partner of a limited partnership;*

30 *(d) A managing partner of a limited-liability partnership;*

31 *(e) A manager or managing member of a limited-liability*
32 *company; or*

33 *(f) An officer of a corporation.*

34 **Sec. 3.6. 1.** *The Secretary of State shall make available on*
35 *the Internet website of the Office of the Secretary of State:*

36 *(a) The responses to the survey conducted pursuant to section*
37 *3.4 of this act in such a manner that the responses may be*



1 *searched electronically by the name of the business that submitted*
2 *the response; and*

3 *(b) Aggregate data relating to the survey conducted pursuant*
4 *to section 3.4 of this act.*

5 *2. The Secretary of State shall annually compile the*
6 *responses to the survey received during the immediately preceding*
7 *year into a report and submit the report to the Governor and to*
8 *the Director of the Legislative Counsel Bureau for transmittal to*
9 *the Legislature, or if the Legislature is not in session, to the*
10 *Legislative Commission.*

11 *Sec. 3.8. The Secretary of State may adopt such regulations*
12 *as he or she determines to be necessary or advisable to carry out*
13 *the provisions of sections 3.4 and 3.6 of this act.*

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

15 **Sec. 4.5.** NRS 233I.060 is hereby amended to read as follows:

16 233I.060 1. The Commission shall study the changing and
17 developing roles of women in society, including the recognition of
18 socioeconomic factors that influence the status of women, and
19 recommend proposed legislation.

20 2. The Commission may collect and disseminate information
21 on activities, programs and essential services available to women in
22 Nevada.

23 *3. The Commission shall assist the Secretary of State in*
24 *developing the survey of businesses in this State described in*
25 *section 3.4 of this act.*

26 **Sec. 5.** NRS 233I.080 is hereby amended to read as follows:

27 233I.080 1. The Director of the Department of
28 Administration shall provide staff assistance to the Commission *in*
29 *carrying out the duties and responsibilities of the Commission*, as
30 the Governor deems appropriate.

31 2. The Commission may engage the services of volunteer
32 workers and consultants without salary as is necessary from time to
33 time.

34 **Sec. 5.5.** 1. There is hereby appropriated from the State
35 General Fund to the Department of Administration for expenses of
36 the Department that are associated with assisting the Nevada
37 Commission for Women pursuant to NRS 233I.080, as amended by
38 section 5 of this act the following sums:

39 For the Fiscal Year 2017-2018..... \$107,772
40 For the Fiscal Year 2018-2019..... \$81,672

41 2. Any balance of the sums appropriated by subsection 1
42 remaining at the end of the respective fiscal years must not be
43 committed for expenditure after June 30 of the respective fiscal
44 years by the entity to which the appropriation is made or any entity
45 to which money from the appropriation is granted or otherwise



1 transferred in any manner, and any portion of the appropriated
2 money remaining must not be spent for any purpose after
3 September 21, 2018, and September 20, 2019, respectively, by
4 either the entity to which the money was appropriated or the entity
5 to which the money was subsequently granted or transferred,
6 and must be reverted to the State General Fund on or before
7 September 21, 2018, and September 20, 2019, respectively.

8 **Sec. 6.** The provisions of subsection 1 of NRS 218D.380 do
9 not apply to any provision of this act which adds or revises a
10 requirement to submit a report to the Legislature.

11 **Sec. 6.5.** The Secretary of State shall design and begin
12 conducting the initial survey required by section 3.4 of this act
13 before January 1, 2018.

14 **Sec. 7.** This act becomes effective on July 1, 2017, and expires
15 by limitation on December 31, 2022.

