

(Reprinted with amendments adopted on April 16, 2015)

FIRST REPRINT

A.B. 152

ASSEMBLY BILL NO. 152—ASSEMBLYMEN ARAUJO, DIAZ,
THOMPSON; BENITEZ-THOMPSON, CARRILLO, FLORES,
GARDNER, HAMBRICK, JOINER, MOORE, SILBERKRAUS
AND NEAL

FEBRUARY 13, 2015

JOINT SPONSORS: SENATORS DENIS; HARDY AND WOODHOUSE

Referred to Committee on Health and Human Services

SUMMARY—Enacts certain requirements governing child care facilities. (BDR 38-623)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

~

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

AN ACT relating to care of children; requiring the State Board of Health to adopt regulations prescribing guidelines for meals and snacks provided to children at child care facilities and setting forth certain requirements for child care facilities relating to breastfeeding and physical activity; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires a child care facility to be licensed by the State Board of
2 Health or, if the county or city in which the child care facility is located requires
3 child care facilities to be licensed, by such a county or city. If a city or county
4 licenses child care facilities, the city or county is required to adopt standards and
5 regulations governing child care facilities that are at least as stringent as those
6 adopted by the Board. (NRS 432A.131) **Section 2** of this bill requires the Board to
7 adopt regulations prescribing guidelines for all meals and snacks served to children
8 by child care facilities. **Section 2** also: (1) allows a child, upon the request of a
9 parent or guardian, to receive meals and snacks that do not comply with the
10 guidelines; and (2) provides that the guidelines do not apply to any meal prepared
11 by a parent or guardian and brought to a child care facility by a child or a parent or
12 guardian.

13 **Section 3** of this bill requires the Board to adopt regulations that: (1) require a
14 child care facility to provide an appropriate, private space where mothers may



15 breastfeed; (2) require certain child care facilities to provide a program of physical
16 activity; and (3) prohibit a child care facility from withholding or requiring physical
17 activity as a form of discipline.

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 2 and 3 of this act.

3 **Sec. 2. 1.** *The Board shall adopt regulations prescribing*
4 *guidelines for meals and snacks provided to children by a child*
5 *care facility. Such guidelines must, without limitation:*

6 (a) *Ensure that each meal or snack provided to a child by a*
7 *child care facility is served in a portion size appropriate for the age*
8 *of the child;*

9 (b) *Include specific requirements concerning milk, other dairy*
10 *products and juice; and*

11 (c) *Limit the fat and sugar content of all meals and snacks.*

12 2. *At the request of a parent or guardian, a child in a child*
13 *care facility may receive meals and snacks from the child care*
14 *facility that do not comply with the guidelines prescribed pursuant*
15 *to subsection 1.*

16 3. *The guidelines prescribed pursuant to subsection 1 do not*
17 *apply to any meal or snack prepared for a child by a parent or*
18 *guardian and brought by the child or a parent or guardian to a*
19 *child care facility.*

20 **Sec. 3. 1.** *The Board shall adopt regulations that:*

21 (a) *Require each licensee that operates a child care facility to*
22 *provide an appropriate, private space on the premises of the child*
23 *care facility where a mother may breastfeed.*

24 (b) *Require each licensee that operates a child care facility,*
25 *other than an accommodation facility or a child care institution, to*
26 *provide a program of physical activity that:*

27 (1) *Ensures that all children receive daily periods of*
28 *moderate or vigorous physical activity that are appropriate for the*
29 *age of the child;*

30 (2) *Limits the amount of sedentary activity, other than*
31 *meals, snacks and naps, that children engage in each day; and*

32 (3) *Allows for specialized plans for children with special*
33 *needs or who have disabilities.*

34 (c) *Prohibit an employee of or a licensee who operates a child*
35 *care facility from withholding or requiring a child to participate in*
36 *physical activity as a form of discipline.*

37 2. *As used in this section:*



1 (a) *“Moderate or vigorous physical activity” means activity*
2 *that significantly uses arms or legs, including, without limitation,*
3 *brisk walking, skipping, bicycling, hiking, dancing, kicking a ball,*
4 *gardening, running, jumping, playing tag, chasing games, soccer,*
5 *basketball and swimming.*

6 (b) *“Sedentary activity” means activity that does not*
7 *significantly use arms or legs or provide significant exercise,*
8 *including, without limitation, sitting, standing, reading, playing a*
9 *board game, riding in a wagon or drawing.*

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

11 **Sec. 5.** This act becomes effective:

12 1. Upon passage and approval for the purpose of adopting any
13 regulations and performing any other preparatory administrative
14 tasks necessary to carry out the provisions of this act; and

15 2. On January 1, 2016, for all other purposes.

