

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.

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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 care of children; requiring the State Board of Health to adopt regulations 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)
7 **Section 3** of this bill requires the Board to adopt regulations that: (1) require a
8 child care facility to provide an appropriate, private space where mothers may
9 breastfeed; (2) require certain child care facilities to provide a program of physical
10 activity; and (3) prohibit a child care facility from withholding or requiring physical
11 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.** (Deleted by amendment.)

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

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

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

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

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

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

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

21 **2. *As used in this section:***

22 *(a) "Moderate or vigorous physical activity" means activity*
23 *that significantly uses arms or legs, including, without limitation,*
24 *brisk walking, skipping, bicycling, hiking, dancing, kicking a ball,*
25 *gardening, running, jumping, playing tag, chasing games, soccer,*
26 *basketball and swimming.*

27 *(b) "Sedentary activity" means activity that does not*
28 *significantly use arms or legs or provide significant exercise,*
29 *including, without limitation, sitting, standing, reading, playing a*
30 *board game, riding in a wagon or drawing.*

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

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

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

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

