

CHAPTER.....

AN ACT relating to care of children; establishing certain requirements for the operation of certain seasonal or temporary recreation programs; requiring the termination of certain staff members of such a program who have been convicted of certain crimes or who have had a substantiated report of child abuse or neglect made against them; providing a civil penalty; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires a local government that operates an out-of-school recreation program to comply with certain health and safety standards and to comply with other requirements relating to the safety of participants in the program. (NRS 432A.610) Certain requirements for the staff of an out-of-school recreation program are set forth in existing law. (NRS 432A.620) Existing law further requires an out-of-school recreation program to maintain certain records regarding participants in the program. (NRS 432A.630) **Sections 2-4** of this bill make certain requirements imposed on an out-of-school recreation program applicable to a nongovernmental person or entity that operates a program that primarily functions as a seasonal or temporary recreation program. **Section 3.5** further requires a person or entity that operates such a program to terminate the employment of a staff member who has been convicted of certain crimes or has had a substantiated report of child abuse or neglect filed against him or her, after affording the staff member an opportunity to correct the information. **Section 5** of this bill subjects a person who operates such a seasonal or temporary recreation program to a civil penalty not to exceed \$500 for failure to comply with the requirements of this bill.

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

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

**Section 1.** Chapter 432A of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

**Sec. 2.** *A person who operates a program that primarily functions as a seasonal or temporary recreation program shall ensure that each site upon which the program is conducted:*

- 1. Has a complete first-aid kit accessible on-site that complies with the requirements of the Occupational Safety and Health Administration of the United States Department of Labor;*
- 2. Has an emergency exit plan posted on-site in a conspicuous place; and*



3. *Has at least one staff member or volunteer on-site and available during the hours of operation who is certified and receives annual training in the use and administration of first aid, including, without limitation, cardiopulmonary resuscitation.*

**Sec. 3.** *A person who operates a program that primarily functions as a seasonal or temporary recreation program shall complete, for each member of the staff of the program:*

1. *A background and personal history check not later than 3 days after the staff member is hired and once every 5 years thereafter; and*

2. *A child abuse and neglect screening through the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child established by NRS 432.100 to determine whether there has been a substantiated report of child abuse or neglect made against the staff member.*

**Sec. 3.5.** 1. *Upon receiving the results of the background and personal history check performed pursuant to subsection 1 of section 3 of this act, the results of the child abuse and neglect screening pursuant to subsection 2 of section 3 of this act or evidence from any other source that a staff member of a person who operates a program that primarily functions as a seasonal or temporary recreation program has been convicted of a crime listed in subsection 2 of NRS 432A.170 or has had a substantiated report of child abuse or neglect made against him or her, the person shall terminate the employment of the staff member after allowing the staff member time to correct the information as required pursuant to subsection 2.*

2. *If a staff member believes that the information provided to the person who operates a program that primarily functions as a seasonal or temporary recreation program pursuant to subsection 1 is incorrect, the staff member must inform the person immediately. The person shall give any such staff member 30 days to correct the information.*

3. *During any period in which a staff member seeks to correct information pursuant to subsection 2, it is within the discretion of the person who operates a program that primarily functions as a seasonal or temporary recreation program whether to allow the staff member to continue to work for the program, except that the staff member shall not have contact with a child without supervision during such a period.*

**Sec. 4.** 1. *A person who operates a program that primarily functions as a seasonal or temporary recreation program shall*



*maintain records containing pertinent information regarding each staff member of the program.*

*2. The distribution of any information maintained pursuant to this section is subject to the limitations set forth in NRS 239.0105.*

**Sec. 5.** *A person who operates a program that primarily functions as a seasonal or temporary recreation program and who fails to comply with any provision of section 2, 3, 3.5 or 4 of this act is subject to a civil penalty not to exceed \$500 for each failure to comply. The Attorney General or any district attorney of this State may recover the penalty in a civil action brought in the name of the State of Nevada in any court of competent jurisdiction.*

