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ASSEMBLY BILL NO. 176—ASSEMBLYMEN FRIERSON; COHEN, DIAZ,  
FLORES, JAUREGUI AND YEAGER

PREFILED FEBRUARY 13, 2017

Referred to Committee on Health and Human Services

SUMMARY—Establishes certain requirements for the operation of  
seasonal or temporary recreation programs.  
(BDR 38-702)

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.

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AN ACT relating to care of children; establishing certain  
requirements for the operation of a seasonal or temporary  
recreation program; providing a civil penalty; and  
providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Existing law requires a local government that operates an out-of-school  
2 recreation program to comply with certain health and safety standards and to  
3 comply with other requirements relating to the safety of participants in the program.  
4 (NRS 432A.610) Certain requirements for the staff of an out-of-school recreation  
5 program are set forth in existing law. (NRS 432A.620) Existing law further requires  
6 an out-of-school recreation program to maintain certain records regarding  
7 participants in the program. (NRS 432A.630) **Sections 2-4** of this bill make certain  
8 requirements imposed on an out-of-school recreation program applicable to a  
9 nongovernmental person or entity that operates a program that primarily functions  
10 as a seasonal or temporary recreation program. **Section 5** of this bill subjects a  
11 person who operates such a seasonal or temporary recreation program to a civil  
12 penalty not to exceed \$500 for failure to comply with such requirements.

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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 to 5, inclusive,  
3 of this act.

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

7     1. *Has a complete first-aid kit accessible on-site that complies*  
8 *with the requirements of the Occupational Safety and Health*  
9 *Administration of the United States Department of Labor;*

10    2. *Has an emergency exit plan posted on-site in a*  
11 *conspicuous place; and*

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

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

19    1. *A background and personal history check; and*

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

25     **Sec. 4.** 1. *A person who operates a program that primarily*  
26 *functions as a seasonal or temporary recreation program shall*  
27 *maintain records containing pertinent information regarding each*  
28 *staff member of the program.*

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

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

