

SENATE BILL NO. 193—SENATOR SCHNEIDER

FEBRUARY 21, 2003

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions regarding coverage of industrial insurance for certain employees. (BDR 53-782)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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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 industrial insurance; clarifying the coverage of industrial insurance for members of the Nevada Legislature; extending the coverage of industrial insurance for employees of school districts who engage in an athletic or social event under certain circumstances; and providing other matters properly relating thereto.

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

1 **Section 1.** NRS 616A.185 is hereby amended to read as  
2 follows:

3 616A.185 *For the purposes of chapters 616A to 616D,*  
4 *inclusive, of NRS:*

5 *1. A member of the Nevada Legislature shall be deemed* ~~for~~  
6 ~~the purposes of chapters 616A to 616D, inclusive, of NRS~~ *to be an*  
7 *employee of the State during his term of office at the wage of*  
8 *\$2,000 per month and is entitled to the benefits of those chapters.*

9 *2. Any injury sustained by a member of the Nevada*  
10 *Legislature shall be deemed to have arisen out of and in the*  
11 *course of his employment as a Legislator if, at the time of the*  
12 *injury, he was performing any act or was engaging in any event*  
13 *that was reasonably related to his legislative office, his public*  
14 *service as a Legislator or his political activities as a Legislator,*  
15 *whether or not he was receiving remuneration from the State for*



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1 *performing the act or engaging in the event at the time of the*  
2 *injury. Such acts and events include, without limitation:*

3 (a) *Attending, as a Legislator, a function, event, seminar,*  
4 *conference, hearing, meeting or gathering of a public body at the*  
5 *federal, state or local level for purposes relating to law, policy,*  
6 *politics or issues of public concern.*

7 (b) *Attending, as a Legislator, a public, private or political*  
8 *function, event, seminar, conference, hearing, meeting or*  
9 *gathering for purposes relating to law, policy, politics or issues of*  
10 *public concern.*

11 (c) *Meeting, as a Legislator, with constituents or other persons*  
12 *for purposes relating to law, policy, politics or issues of public*  
13 *concern.*

14 **Sec. 2.** NRS 616A.265 is hereby amended to read as follows:

15 616A.265 1. "Injury" or "personal injury" means a sudden  
16 and tangible happening of a traumatic nature, producing an  
17 immediate or prompt result which is established by medical  
18 evidence, including injuries to prosthetic devices. ~~Any~~ *Except as*  
19 *otherwise provided in subsection 3 and NRS 616A.185, any* injury  
20 sustained by an employee while engaging in an athletic or social  
21 event sponsored by his employer shall be deemed not to have arisen  
22 out of or in the course of employment unless the employee received  
23 remuneration for participation in the event.

24 2. For the purposes of chapters 616A to 616D, inclusive, of  
25 NRS:

26 (a) Coronary thrombosis, coronary occlusion, or any other  
27 ailment or disorder of the heart, and any death or disability ensuing  
28 therefrom, shall be deemed not to be an injury by accident sustained  
29 by an employee arising out of and in the course of his employment.

30 (b) The exposure of an employee to a contagious disease while  
31 providing medical services, including emergency medical care, in  
32 the course and scope of his employment shall be deemed to be an  
33 injury by accident sustained by the employee arising out of and in  
34 the course of his employment.

35 (c) Except as otherwise provided in paragraph (d), the exposure  
36 to a contagious disease of a police officer or a salaried or volunteer  
37 fireman who was exposed to the contagious disease:

38 (1) Upon battery by an offender; or

39 (2) While performing the duties of a police officer or  
40 fireman,

41 shall be deemed to be an injury by accident sustained by the police  
42 officer or fireman arising out of and in the course of his employment  
43 if the exposure is documented by the creation and maintenance of a  
44 report concerning the exposure pursuant to paragraph (a) of  
45 subsection 1 of NRS 616C.052. As used in this paragraph, the term



1 “battery” includes, without limitation, the intentional propelling or  
2 placing, or the causing to be propelled or placed, of any human  
3 excrement or bodily fluid upon the person of an employee.

4 (d) If a police officer or a salaried or volunteer fireman tests  
5 positive for exposure to tuberculosis under the circumstances  
6 described in subsection 2 or 3 of NRS 616C.052, he shall be deemed  
7 to have sustained an injury by accident arising out of and in the  
8 course of his employment, unless the insurer can prove by a  
9 preponderance of the evidence that the exposure was not related to  
10 the employment of the police officer or fireman.

11 **3. Any injury sustained by an employee of a school district**  
12 **while engaging in an athletic or social event shall be deemed to**  
13 **have arisen out of and in the course of his employment, whether**  
14 **or not the employee received remuneration for participation in the**  
15 **event, if:**

16 (a) *The event was sponsored by the school district, or the event*  
17 *was an extracurricular activity which was sponsored or organized*  
18 *by a student class, student group or student organization for an*  
19 *educational, recreational or charitable purpose and which was*  
20 *reasonably related to the employee’s job with the school district;*

21 (b) *The employee participated in the event at the request of or*  
22 *with the concurrence of supervisory personnel, whether the*  
23 *request or concurrence was oral or written; and*

24 (c) *The employee participated in the event to enable the event*  
25 *to take place or to ensure the safety and well-being of any students*  
26 *of the school district.*

27 **Sec. 3.** This act becomes effective upon passage and approval.

