

Assembly Bill No. 222—Assemblywoman Torres

CHAPTER.....

AN ACT relating to employment; revising provisions governing periods of limitation in certain civil actions concerning unlawful employment practices; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Under existing law, if, after a complaint alleging an unfair employment practice is filed with the Nevada Equal Rights Commission, the Commission does not conclude that an unfair employment practice has occurred, the person alleging such a practice has occurred is authorized to bring a civil action in the district court for an order granting or restoring to that person the rights to which the person is entitled. (NRS 613.420) Existing law prohibits a person from bringing such a civil action more than 180 days after the act constituting the unfair employment practice occurred or more than 90 days after the receipt of a right-to-sue letter issued by the Commission, whichever is later. Existing law further provides that the 90-day and 180-day periods of limitation are tolled during the pendency of the complaint before the Commission. (NRS 613.430) This bill extends the coverage of those provisions to: (1) actions in the district court for the occurrence of unlawful employment practices prohibited under Title VII of the Civil Rights Act of 1964; (2) issuance of right-to-sue letters by the federal Equal Employment Opportunity Commission; and (3) the tolling of the 90-day and 180-day periods of limitation during the pendency of a complaint before the federal Equal Employment Opportunity Commission.

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:

**Sections 1-3.** (Deleted by amendment.)

**Sec. 4.** NRS 613.430 is hereby amended to read as follows:

613.430 *To the extent consistent with federal law:*

1. No action authorized by NRS 613.420 *or Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq.,* may be brought:

(a) More than 180 days after the date of the act complained of;  
or

(b) More than 90 days after the date of the:

(1) Issuance of the letter described in subsection 1 of NRS 613.420; or

(2) Receipt of the right-to-sue notice *issued by the Nevada Equal Rights Commission* pursuant to NRS 613.412 ~~§~~ *or by the*



*United States Equal Employment Opportunity Commission pursuant to 42 U.S.C. § 2000e-5(f)(1), as applicable,*

↳ whichever is later.

2. When a complaint is filed with the Nevada Equal Rights Commission **[H]** *or the United States Equal Employment Opportunity Commission*, the limitation provided by this section is tolled as to any action authorized by NRS 613.420 *or Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq.*, during the pendency of the complaint before the *Nevada Equal Rights Commission [H] or the United States Equal Employment Opportunity Commission, as applicable.*

**Sec. 5.** This act becomes effective upon passage and approval.

