

ASSEMBLY BILL NO. 222—ASSEMBLYWOMAN TORRES

MARCH 10, 2021

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing employment practices. (BDR 53-739)

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 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:**

1 Under existing law, if, after a complaint alleging an unfair employment practice  
2 is filed with the Nevada Equal Rights Commission, the Commission does not  
3 conclude that an unfair employment practice has occurred, the person alleging such  
4 a practice has occurred is authorized to bring a civil action in the district court for  
5 an order granting or restoring to that person the rights to which the person is  
6 entitled. (NRS 613.420) Existing law prohibits a person from bringing such a civil  
7 action more than 180 days after the act constituting the unfair employment practice  
8 occurred or more than 90 days after the receipt of a right-to-sue letter issued by the  
9 Commission, whichever is later. Existing law further provides that the 90-day and  
10 180-day periods of limitation are tolled during the pendency of the complaint  
11 before the Commission. (NRS 613.430) This bill extends the coverage of those  
12 provisions to: (1) actions in the district court for the occurrence of unlawful  
13 employment practices prohibited under Title VII of the Civil Rights Act of 1964;  
14 (2) issuance of right-to-sue letters by the federal Equal Employment Opportunity  
15 Commission; and (3) the tolling of the 90-day and 180-day periods of limitation  
16 during the pendency of a complaint before the federal Equal Employment  
17 Opportunity Commission.

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

- 1 **Section 1.** (Deleted by amendment.)
- 2 **Sec. 2.** (Deleted by amendment.)



1     **Sec. 3.** (Deleted by amendment.)

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

3     613.430   *To the extent consistent with federal law:*

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

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

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

10     (1) Issuance of the letter described in subsection 1 of NRS  
11 613.420; or

12     (2) Receipt of the right-to-sue notice *issued by the Nevada*  
13 *Equal Rights Commission* pursuant to NRS 613.412 ~~§~~ *or by the*  
14 *United States Equal Employment Opportunity Commission*  
15 *pursuant to 42 U.S.C. § 2000e-5(f)(1), as applicable,*

16     ↳ whichever is later.

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

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

