

ASSEMBLY BILL NO. 144—ASSEMBLYMEN LA RUE HATCH,
SUMMERS-ARMSTRONG, ANDERSON, WATTS, GONZÁLEZ;
CONSINDINE AND ORENTLICHER

FEBRUARY 13, 2023

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions governing the sale of certain lighting products. (BDR 58-621)

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 lighting products; prohibiting the sale, offer to sell or distribution of compact fluorescent lamps and linear fluorescent lamps; authorizing the Director of the Office of Energy within the Office of the Governor to take certain actions to investigate possible violations; authorizing the Director or his or her designee to conduct certain inspections; authorizing the Director to adopt certain regulations; providing a civil penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 **Section 7** of this bill prohibits a person, on and after January 1, 2024, from
- 2 selling, offering to sell or otherwise distributing in this State a new compact
- 3 fluorescent lamp with a screw or bayonet base type. **Section 3** of this bill defines
- 4 “compact fluorescent lamp” to mean, in general, a compact, low-pressure electric-
- 5 discharge light source containing mercury in which a fluorescent coating
- 6 transforms some of the ultraviolet energy generated by the mercury discharge into
- 7 visible light and which: (1) has one base of any type; (2) emits light with a certain
- 8 correlated color temperature and Duv; (3) has any tube length, tube diameter, lamp
- 9 size or lamp shape; and (4) is integrally ballasted or non-integrally ballasted.
- 10 **Section 7** also prohibits a person, on and after January 1, 2025, from selling,
- 11 offering to sell or otherwise distributing in this State a new compact fluorescent
- 12 lamp with a pin base type or a linear fluorescent lamp. **Section 5** of this bill defines
- 13 “linear fluorescent lamp” to mean, in general, a low-pressure electric-discharge
- 14 light source containing mercury in which a fluorescent coating transforms some of
- 15 the ultraviolet energy generated by the mercury discharge into visible light and
- 16 which: (1) has two bases of any type; (2) emits light with a certain correlated color



17 temperature and Duv; (3) has a tube length of not less than 0.5 feet and not more
18 than 8.0 feet; and (4) has any tube diameter or lamp shape.

19 **Section 8** of this bill establishes civil penalties for persons who violate the
20 provisions of **section 7**. **Section 6** of this bill excludes certain fluorescent lamps
21 from the provisions of this bill.

22 **Sections 4 and 9** of this bill authorize the Director of the Office of Energy
23 within the Office of the Governor to investigate complaints concerning alleged
24 violations of the provisions of this bill and authorizes the Attorney General to bring
25 a civil action against a person for such violations. **Section 9** authorizes the Director
26 or his or her designee to enter and inspect the premises of any distributor or retailer
27 of lighting products to ensure compliance with the provisions of this bill. **Section 9**
28 also authorizes the Director to adopt regulations to carry out the provisions of this
29 bill.

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

1 **Section 1.** Chapter 701 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 9 of this act.

3 **Sec. 2.** *As used in sections 2 to 9, inclusive, unless the*
4 *context otherwise requires, the words and terms defined in*
5 *sections 3, 4 and 5 of this act have the meanings ascribed to them*
6 *in those sections.*

7 **Sec. 3.** *“Compact fluorescent lamp” means a compact, low-*
8 *pressure electric-discharge light source containing mercury in*
9 *which a fluorescent coating transforms some of the ultraviolet*
10 *energy generated by the mercury discharge into visible light and*
11 *which:*

12 1. *Has one base of any type, including, without limitation, a*
13 *screw, bayonet, two-pin and four-pin base type;*

14 2. *Emits light with:*

15 (a) *A correlated color temperature of not less than 1,700*
16 *kelvins and not more than 24,000 kelvins; and*

17 (b) *A Duv of not more than +0.024 and not less than -0.024 in*
18 *the CAM02-UCS standard published by the International*
19 *Commission on Illumination Uniform Color Space;*

20 3. *Has any tube length, tube diameter, lamp size and lamp*
21 *shape, including, without limitation, a spiral, twin tube, triple*
22 *twin, 2D, PL, U-bend and circular shape; and*

23 4. *Is integrally ballasted or non-integrally ballasted.*

24 **Sec. 4.** *“Director” means the Director of the Office of*
25 *Energy within the Office of the Governor appointed pursuant to*
26 *NRS 701.150.*

27 **Sec. 5.** *“Linear fluorescent lamp” means a low-pressure*
28 *electric-discharge light source containing mercury in which a*
29 *fluorescent coating transforms some of the ultraviolet energy*
30 *generated by the mercury discharge into visible light and which:*



1 *1. Has two bases, one at each end of the tube, of any type,*
2 *including, without limitation, a single-pin, two-pin or recessed*
3 *double contact base type;*

4 *2. Emits light with:*

5 *(a) A correlated color temperature of not less than 1,700*
6 *kelvins and not more than 24,000 kelvins; and*

7 *(b) A Duv of not more than +0.024 and not less than -0.024 in*
8 *the International Commission on Illumination Uniform Color*
9 *Space CAM02-UCS;*

10 *3. Has a tube length of not less than 0.5 feet and not more*
11 *than 8.0 feet;*

12 *4. Has any tube diameter, including, without limitation, T5,*
13 *T8, T10 and T12; and*

14 *5. Has any lamp shape, including, without limitation, a*
15 *linear, U-bend or circular shape.*

16 **Sec. 6.** *The provisions of sections 2 to 9, inclusive, of this act*
17 *do not apply to a fluorescent lamp that:*

18 *1. Is designed and marketed exclusively for use in:*

19 *(a) Capturing or projecting an image, including, without*
20 *limitation:*

21 *(1) Photocopying;*

22 *(2) Printing, either directly or in preprocessing;*

23 *(3) Lithography;*

24 *(4) Projecting film or video; or*

25 *(5) Holography;*

26 *(b) Medical or veterinary diagnosis or treatment, or in a*
27 *medical device;*

28 *(c) Manufacturing or performing quality control of*
29 *pharmaceutical products;*

30 *(d) Conducting research projects and experiments by academic*
31 *and research institutions; or*

32 *(e) Spectroscopy and photometric applications, including,*
33 *without limitation:*

34 *(1) Ultraviolet-visible spectroscopy;*

35 *(2) Molecular spectroscopy;*

36 *(3) Atomic absorption spectroscopy;*

37 *(4) Nondispersive infrared;*

38 *(5) Fourier transform infrared;*

39 *(6) Medical analysis;*

40 *(7) Ellipsometry;*

41 *(8) Layer thickness measurement;*

42 *(9) Process monitoring; or*

43 *(10) Environmental monitoring;*

44 *2. Emits a high proportion of ultraviolet light and:*



1 (a) *Has an ultraviolet power greater than two milliwatts per*
2 *kilolumen; or*

3 (b) *Is designed and marketed exclusively for:*

4 (1) *Germicidal purposes, including, without limitation, the*
5 *destruction of DNA, and which emits a peak radiation of*
6 *approximately 253.7 nanometers;*

7 (2) *Disinfecting or fly trapping and for which at least 5*
8 *percent of the radiation power emitted at 250 nanometers or more*
9 *but not more than 315 nanometers or at least 20 percent of the*
10 *radiation power emitted at 315 nanometers or more but not more*
11 *than 400 nanometers represents the total radiation power emitted*
12 *at 250 nanometers or more but not more than 800 nanometers;*

13 (3) *The generation of ozone and for which the primary*
14 *purpose is to emit radiation at approximately 185.1 nanometers;*

15 (4) *Coral zooxanthellae symbiosis and for which the*
16 *radiation power emitted at 400 nanometers or more but not more*
17 *than 480 nanometers represents at least 40 percent of the total*
18 *radiation power emitted at 250 nanometers or more but not more*
19 *than 800 nanometers; or*

20 (5) *Use in a sunlamp product, as defined in 21 C.F.R. §*
21 *1040.20.*

22 **Sec. 7. 1.** *On and after January 1, 2024, a person shall not*
23 *sell, offer to sell or otherwise distribute in this State a new*
24 *compact fluorescent lamp with a screw or bayonet base type.*

25 **2.** *On and after January 1, 2025, a person shall not sell, offer*
26 *to sell or otherwise distribute in this State a new:*

27 (a) *Compact fluorescent lamp with a pin base type; or*

28 (b) *Linear fluorescent lamp.*

29 **Sec. 8. 1.** *A person who violates any provision of section 7*
30 *of this act must, for a first violation, be issued a warning and, for*
31 *any subsequent violation, is liable to the State for a civil penalty*
32 *of:*

33 (a) *For the first civil penalty assessed, not more than \$100 for*
34 *each violation.*

35 (b) *For any subsequent assessment of a civil penalty, not more*
36 *than \$500 for each violation.*

37 **2.** *Each sale, offer to sell or distribution of a compact*
38 *fluorescent lamp or linear fluorescent lamp in violation of section*
39 *7 of this act constitutes a separate violation. Each day on which*
40 *such a violation occurs constitutes a separate violation.*

41 **Sec. 9. 1.** *The Director or his or her designee may enter*
42 *and inspect, in a reasonable manner and during reasonable*
43 *business hours, the premises of any distributor or retailer of*
44 *lighting products to determine compliance with the provisions of*
45 *sections 2 to 9, inclusive, of this act.*



1 **2. The Director may investigate complaints received**
2 **concerning alleged violations of the provisions of sections 2 to 9,**
3 **inclusive, of this act and may report to the Attorney General any**
4 **alleged violation which the Director or his or her designee verifies**
5 **during or discovers after investigation.**

6 **3. Whenever it appears that a person has repeatedly violated**
7 **the provisions of sections 2 to 9, inclusive, of this act, the Attorney**
8 **General may bring a civil action in any district court of this State**
9 **for injunctive relief to restrain the violation and for the assessment**
10 **and recovery of a civil penalty.**

11 **4. The Director may adopt such regulations as are necessary**
12 **to carry out the provisions of sections 2 to 9, inclusive, of this act.**

13 **Sec. 10.** This act becomes effective on January 1, 2024.

