

Amendment No. 12

Assembly Amendment to Assembly Bill No. 144	(BDR 58-621)
Proposed by: Assembly Committee on Growth and Infrastructure	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION	Initial and Date		SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/>	Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/>	Lost <input type="checkbox"/>
Concurred In <input type="checkbox"/>	Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/>	Not <input type="checkbox"/>
Receded <input type="checkbox"/>	Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/>	Not <input type="checkbox"/>

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

MR/SJQ



Date: 4/3/2023

A.B. No. 144—Revises provisions governing the sale of certain lighting products.
(BDR 58-621)



ASSEMBLY BILL NO. 144—ASSEMBLYMEN LA RUE HATCH, SUMMERS-ARMSTRONG, ANDERSON, WATTS, GONZÁLEZ; CONSIDINE 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;]~~ ***Attorney General to bring a civil action against a person who has repeatedly violated such a prohibition;*** 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,]~~ **2025**, from
2 selling, offering to sell or otherwise distributing in this State a new compact fluorescent lamp
3 with a screw or bayonet base type. **Section 3** of this bill defines “compact fluorescent lamp”
4 to mean, in general, a compact, low-pressure electric-discharge light source containing
5 mercury in which a fluorescent coating transforms some of the ultraviolet energy generated by
6 the mercury discharge into visible light and which: (1) has one base of any type; (2) emits
7 light with a certain correlated color temperature and Duv; (3) has any tube length, tube
8 diameter, lamp size or lamp shape; and (4) is integrally ballasted or non-integrally ballasted.

9 **Section 7** also prohibits a person, on and after January 1, ~~[2025,]~~ **2026**, from selling,
10 offering to sell or otherwise distributing in this State a new compact fluorescent lamp with a
11 pin base type or a linear fluorescent lamp. **Section 5** of this bill defines “linear fluorescent
12 lamp” to mean, in general, a low-pressure electric-discharge light source containing mercury
13 in which a fluorescent coating transforms some of the ultraviolet energy generated by the
14 mercury discharge into visible light and which: (1) has two bases of any type; (2) emits light
15 with a certain correlated color temperature and Duv; (3) has a tube length of not less than 0.5
16 feet and not more than 8.0 feet; and (4) has any tube diameter or lamp shape.

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

20 ~~[Sections 4 and]~~ **Section 9** of this bill ~~[authorize the Director of the Office of Energy~~
21 ~~within the Office of the Governor to investigate complaints concerning alleged violations of~~
22 ~~the provisions of this bill and]~~ authorizes the Attorney General to bring a civil action against a

23 person ~~[for such violations. Section 9 authorizes the Director or his or her designee to enter~~
 24 ~~and inspect the premises of any distributor or retailer of lighting products to ensure~~
 25 ~~compliance with the provisions of this bill. Section 9 also authorizes the Director to adopt~~
 26 ~~regulations to carry out the provisions of this bill.]~~ **who has repeatedly violated the**
 27 **provisions of section 7 for injunctive relief and for the assessment and recovery of a civil**
 28 **penalty.**

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 thereto the
 2 provisions set forth as sections 2 to 9 of this act.

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

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

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

12 2. *Emits light with:*

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

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

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

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

22 **Sec. 4.** ~~*“Director” means the Director of the Office of Energy within the*~~
 23 ~~*Office of the Governor appointed pursuant to NRS 701.150.*~~ **(Deleted by**
 24 **amendment.)**

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

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

31 2. *Emits light with:*

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

34 (b) *A Duv of not more than +0.024 and not less than -0.024 in the CAM02-*
 35 *UCS standard published by the International Commission on Illumination*
 36 *Uniform Color Space; ~~FCAM02 UCS;~~*

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

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

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

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

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

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

5 (1) *Photocopying;*

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

7 (3) *Lithography;*

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

9 (5) *Holography;*

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

11 (c) *Manufacturing or performing quality control of pharmaceutical*
12 *products;*

13 (d) *Conducting research projects and experiments by academic and research*
14 *institutions; or*

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

16 (1) *Ultraviolet-visible spectroscopy;*

17 (2) *Molecular spectroscopy;*

18 (3) *Atomic absorption spectroscopy;*

19 (4) *Nondispersive infrared;*

20 (5) *Fourier transform infrared;*

21 (6) *Medical analysis;*

22 (7) *Ellipsometry;*

23 (8) *Layer thickness measurement;*

24 (9) *Process monitoring; or*

25 (10) *Environmental monitoring;*

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

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

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

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

31 (2) *Disinfecting or fly trapping and for which at least 5 percent of the*
32 *radiation power emitted at 250 nanometers or more but not more than 315*
33 *nanometers or at least 20 percent of the radiation power emitted at 315*
34 *nanometers or more but not more than 400 nanometers represents the total*
35 *radiation power emitted at 250 nanometers or more but not more than 800*
36 *nanometers;*

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

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

43 (5) *Use in a sunlamp product, as defined in 21 C.F.R. § 1040.20 ~~ff~~; or*

44 3. *Is a compact fluorescent lamp that is designed and marketed exclusively*
45 *to replace any lamp in a motor vehicle manufactured on or before January 1,*
46 *2020.*

47 **Sec. 7.** 1. *On and after January 1, ~~2024,~~ 2025, a person shall not sell,*
48 *offer to sell or otherwise distribute in this State a new compact fluorescent lamp*
49 *with a screw or bayonet base type.*

50 2. *On and after January 1, ~~2025,~~ 2026, a person shall not sell, offer to sell*
51 *or otherwise distribute in this State a new:*

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

53 (b) *Linear fluorescent lamp.*

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

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

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

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

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

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

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

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

25 **Sec. 10.** This act becomes effective on January 1, ~~2024.~~ 2025.