ASSEMBLY BILL NO. 247—ASSEMBLYMEMBER BROWN-MAY

FEBRUARY 17, 2025

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating with to persons disabilities. (BDR 19-574)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: Yes.

> CONTAINS UNFUNDED MANDATE (§§ 2, 3) (NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

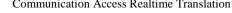
EXPLANATION - Matter in bolded italics is new; matter between brackets fomitted material; is material to be omitted.

AN ACT relating to persons with disabilities; revising provisions relating to the accommodation of persons with physical disabilities at certain public meetings; requiring that certain public buildings designed on or after July 1, 2025, include equipment and software for Communication Access Realtime Translation; including American Sign Language as a foreign or world language course of study; requiring the Department of Education to conduct an interim study on the need for a school for pupils who are deaf or hard of hearing; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, all meetings of public bodies, with certain exceptions, must be open and public and those responsible for the public meeting must make reasonable efforts to accommodate persons with physical disabilities who wish to attend. (NRS 241.020) Section 1 of this bill provides that a reasonable effort to accommodate persons with physical disabilities includes, without limitation, the provision of a registered sign language interpreter and Communication Access Realtime Translation at a public meeting.

Existing law provides that, insofar as possible, all buildings used by the public be accessible to and functional for persons with a physical handicap. (NRS 338.180) Section 2 of this bill requires that each public building designed on or after July 1, 2025, that is owned by a public body and in which certain public meetings are held must include any equipment and software necessary for Communication Access Realtime Translation.







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Under existing law the Council to Establish Academic Standards for Public Schools is required to establish standards of content and performance for certain courses of study taught in public schools, including courses of study of a foreign or world language. (NRS 389.520) Section 3 of this bill includes American Sign Language as a foreign or world language for which the Council must establish standards of content and performance.

Section 4 of this bill requires the Department of Education to conduct a study

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 Section 4 of this bill requires the Department of Education to conduct a study during the 2025-2026 interim to determine the need for a school for pupils who are deaf or hard of hearing.

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

Section 1. NRS 241.020 is hereby amended to read as follows: 241.020 1. Except as otherwise provided by specific statute, all meetings of public bodies must be open and public, and all persons must be permitted to attend any meeting of these public bodies at a physical location or by means of a remote technology system. A meeting that is closed pursuant to a specific statute may only be closed to the extent specified in the statute allowing the meeting to be closed. All other portions of the meeting must be open and public, and the public body must comply with all other provisions of this chapter to the extent not specifically precluded by the specific statute. Public officers and employees responsible for these meetings shall make reasonable efforts to assist and accommodate persons with physical disabilities desiring to attend [...], including, without limitation, providing at public meetings:

- (a) A person who is registered to engage in the practice of sign language interpreting pursuant to chapter 656A of NRS; and
 - (b) Communication Access Realtime Translation.
- 2. If any portion of a meeting is open to the public, the public officers and employees responsible for the meeting must make reasonable efforts to ensure the facilities for the meeting are large enough to accommodate the anticipated number of attendees. No violation of this chapter occurs if a member of the public is not permitted to attend a public meeting because the facilities for the meeting have reached maximum capacity if reasonable efforts were taken to accommodate the anticipated number of attendees. Nothing in this subsection requires a public body to incur any costs to secure a facility outside the control or jurisdiction of the public body or to upgrade, improve or otherwise modify an existing facility to accommodate the anticipated number of attendees.
- 3. Except in an emergency, written notice of all meetings must be given at least 3 working days before the meeting. The notice must include:





- (a) The time, place and location of the meeting. If the meeting is held using a remote technology system pursuant to NRS 241.023 and has no physical location, the notice must include information on how a member of the public may:
- (1) Use the remote technology system to hear and observe the meeting;

(2) Participate in the meeting by telephone; and

- (3) Provide live public comment during the meeting and, if authorized by the public body, provide prerecorded public comment.
 - (b) A list of the locations where the notice has been posted.
- (c) The name, contact information and business address for the person designated by the public body from whom a member of the public may request the supporting material for the meeting described in subsection 7 and:
- (1) A list of the locations where the supporting material is available to the public; or
- (2) Information about how the supporting material may be found on the Internet website of the public body.
 - (d) An agenda consisting of:

- (1) A clear and complete statement of the topics scheduled to be considered during the meeting.
- (2) A list describing the items on which action may be taken and clearly denoting that action may be taken on those items by placing the term "for possible action" next to the appropriate item or, if the item is placed on the agenda pursuant to NRS 241.0365, by placing the term "for possible corrective action" next to the appropriate item.
- (3) Periods devoted to comments by the general public, if any, and discussion of those comments.
- (4) If any portion of the meeting will be closed to consider the character, alleged misconduct or professional competence of a person, the name of the person whose character, alleged misconduct or professional competence will be considered.
- (5) If, during any portion of the meeting, the public body will consider whether to take administrative action regarding a person, the name of that person.
 - (6) Notification that:
 - (I) Items on the agenda may be taken out of order;
- (II) The public body may combine two or more agenda items for consideration; and
- (III) The public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.
- (7) Any restrictions on comments by the general public. Any such restrictions must be reasonable and may restrict the time, place





and manner of the comments, but may not restrict comments based upon viewpoint.

- (8) If the meeting is being held using a remote technology system pursuant to NRS 241.023 and does not have a physical location designated for the meeting where members of the general public are permitted to attend and participate, clear and complete instructions for a member of the general public to be able to call in to the meeting to provide public comment, including, without limitation, a telephone number and any necessary identification number of the meeting or other access code.
 - 4. Minimum public notice is:

- (a) Posting a copy of the notice at the principal office of the public body or, if the meeting has a physical location, at the building in which the meeting is to be held. If the meeting is held using a remote technology system pursuant to NRS 241.023 and has no physical location, the public body must also post the notice to the Internet website of the public body not later than 9 a.m. of the third working day before the meeting is to be held unless the public body is unable to do so because of technical problems relating to the operation or maintenance of the Internet website of the public body.
- (b) Posting the notice on the official website of the State pursuant to NRS 232.2175 not later than 9 a.m. of the third working day before the meeting is to be held, unless the public body is unable to do so because of technical problems relating to the operation or maintenance of the official website of the State.
- (c) Providing a copy of the notice to any person who has requested notice of the meetings of the public body. A request for notice lapses 6 months after it is made. The public body shall inform the requester of this fact by enclosure with, notation upon or text included within the first notice sent. The notice must be:
- (1) Delivered to the postal service used by the public body not later than 9 a.m. of the third working day before the meeting for transmittal to the requester by regular mail; or
- (2) Transmitted to the requester by electronic mail sent not later than 9 a.m. of the third working day before the meeting.
- 5. For each of its meetings, a public body shall document in writing that the public body complied with the minimum public notice required by paragraph (a) of subsection 4. The documentation must be prepared by every person who posted a copy of the public notice and include, without limitation:
- (a) The date and time when the person posted the copy of the public notice;
- (b) The address of the location where the person posted the copy of the public notice; and





- (c) The name, title and signature of the person who posted the copy of the notice.
- 6. Except as otherwise provided in paragraph (a) of subsection 4, if a public body maintains a website on the Internet or its successor, the public body shall post notice of each of its meetings on its website unless the public body is unable to do so because of technical problems relating to the operation or maintenance of its website. Notice posted pursuant to this subsection is supplemental to and is not a substitute for the minimum public notice required pursuant to subsection 4. The inability of a public body to post notice of a meeting pursuant to this subsection as a result of technical problems with its website shall not be deemed to be a violation of the provisions of this chapter.
- 7. Upon any request, a public body shall provide, at no charge, at least one copy of:
 - (a) An agenda for a public meeting;
- (b) A proposed ordinance or regulation which will be discussed at the public meeting; and
- (c) Subject to the provisions of subsection 8 or 9, as applicable, any other supporting material provided to the members of the public body for an item on the agenda, except materials:
- (1) Submitted to the public body pursuant to a nondisclosure or confidentiality agreement which relates to proprietary information;
- (2) Pertaining to the closed portion of such a meeting of the public body; or
- (3) Declared confidential by law, unless otherwise agreed to by each person whose interest is being protected under the order of confidentiality.
- → The public body shall make at least one copy of the documents described in paragraphs (a), (b) and (c) available to the public at the meeting to which the documents pertain. As used in this subsection, "proprietary information" has the meaning ascribed to it in NRS 332.025.
- 8. Unless it must be made available at an earlier time pursuant to NRS 288.153, a copy of supporting material required to be provided upon request pursuant to paragraph (c) of subsection 7 must be:
- (a) If the supporting material is provided to the members of the public body before the meeting, made available to the requester at the time the material is provided to the members of the public body; or
- (b) If the supporting material is provided to the members of the public body at the meeting, made available at the meeting to the





requester at the same time the material is provided to the members of the public body.

- → If the requester has agreed to receive the information and material set forth in subsection 7 by electronic mail, the public body shall, if feasible, provide the information and material by electronic mail.
- 9. Unless the supporting material must be posted at an earlier time pursuant to NRS 288.153, and except as otherwise provided in subsection 11, the governing body of a county or city whose population is 52,000 or more shall post the supporting material described in paragraph (c) of subsection 7 to its website not later than the time the material is provided to the members of the governing body or, if the supporting material is provided to the members of the governing body at a meeting, not later than 24 hours after the conclusion of the meeting. Such posting is supplemental to the right of the public to request the supporting material pursuant to subsection 7. The inability of the governing body, as a result of technical problems with its website, to post supporting material pursuant to this subsection shall not be deemed to be a violation of the provisions of this chapter.
- Except as otherwise provided in subsection 11, a public body may provide the public notice, information or supporting material required by this section by electronic mail. Except as otherwise provided in this subsection, if a public body makes such notice, information or supporting material available by electronic mail, the public body shall inquire of a person who requests the notice, information or supporting material if the person will accept receipt by electronic mail. If a public body is required to post the public notice, information or supporting material on its website pursuant to this section, the public body shall inquire of a person who requests the notice, information or supporting material if the person will accept by electronic mail a link to the posting on the website when the documents are made available. The inability of a public body, as a result of technical problems with its electronic mail system, to provide a public notice, information or supporting material or a link to a website required by this section to a person who has agreed to receive such notice, information, supporting material or link by electronic mail shall not be deemed to be a violation of the provisions of this chapter.
- 11. If a public body holds a meeting using a remote technology system pursuant to NRS 241.023 and has no physical location for the meeting, the public body must:
 - (a) Have an Internet website; and
 - (b) Post to its Internet website:
 - (1) The public notice required by this section; and





- (2) Supporting material not later than the time the material is provided to the members of the governing body or, if the supporting material is provided to the members of the governing body at a meeting, not later than 24 hours after the conclusion of the meeting.
- → The inability of the governing body, as a result of technical problems with its Internet website, to post supporting material pursuant to this subsection shall not be deemed to be a violation of the provisions of this chapter.
 - 12. As used in this section [, "emergency"]:
- (a) "Communication Access Realtime Translation" has the meaning ascribed to it in NRS 656A.025.
- (b) "Emergency" means an unforeseen circumstance which requires immediate action and includes, but is not limited to:
- [(a)] (1) Disasters caused by fire, flood, earthquake or other natural causes; or
 - [(b)] (2) Any impairment of the health and safety of the public.
 - Sec. 2. NRS 338.180 is hereby amended to read as follows:
- 338.180 1. The Legislature of the State of Nevada declares that:
- (a) The primary purpose of this section is to provide, subject to the limitations set forth in this section, for the removal and elimination of architectural barriers to persons with a physical handicap in public buildings and facilities designed after July 1, 1973, in order to encourage and facilitate the employment of persons with a physical handicap and to make public buildings accessible to and usable by persons with a physical handicap; and
- (b) It is the intent of the Legislature that insofar as possible all buildings and facilities used by the public be accessible to, and functional for, persons with a physical handicap, without loss of function, space or facility where the general public is concerned.
- 2. All plans and specifications for the construction of public buildings and facilities owned by a public body must, after July 1, 1973, provide facilities and features for persons with a physical handicap so that buildings which are normally used by the public are constructed with entrance ramps, toilet facilities, drinking fountains, doors and public telephones accessible to and usable by persons with a physical handicap. In addition, all plans and specifications for the construction or alteration of public buildings and facilities owned by a public body must comply with the applicable requirements of the:
- (a) Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq., and the regulations adopted pursuant thereto, including, without limitation, the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities set forth in





Appendix A of Part 36 of Title 28 of the Code of Federal Regulations;

- (b) Minimum Guidelines and Requirements for Accessible Design, 36 C.F.R. §§ 1190.1 et seq.; and
- (c) Fair Housing Act, 42 U.S.C. § 3604, and the regulations adopted pursuant thereto.
- The requirements of paragraph (a) of this subsection are not satisfied if the plans and specifications comply solely with the Uniform Federal Accessibility Standards set forth in Appendix A of Part 101-19.6 of Title 41 of the Code of Federal Regulations.
- 3. All public bodies shall, in the design, construction and alteration of public buildings and facilities comply with the applicable requirements of the:
- (a) Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq., and the regulations adopted pursuant thereto, including, without limitation, the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities set forth in Appendix A of Part 36 of Title 28 of the Code of Federal Regulations;
- (b) Minimum Guidelines and Requirements for Accessible Design, 36 C.F.R. §§ 1190.1 et seq.; and
- (c) Fair Housing Act, 42 U.S.C. § 3604, and the regulations adopted pursuant thereto.
- The requirements of paragraph (a) of this subsection are not satisfied if the public body complies solely with the Uniform Federal Accessibility Standards set forth in Appendix A of Part 101-19.6 of Title 41 of the Code of Federal Regulations.
- 4. In each public building and facility owned by a public body, each entrance to a corridor which leads to a toilet facility must be marked with a sign which:
- (a) Conforms to the requirements related to signage contained in §§ 4.30 et seq. of the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities set forth in Appendix A of Part 36 of Title 28 of the Code of Federal Regulations; and
 - (b) Uses symbols, raised letters and Braille to:
- (1) Identify the toilet facility and the gender of persons who may use the toilet facility; and
- 38 (2) If the toilet facility is for the exclusive use of persons of one gender:
- 40 (I) Indicate that the toilet facility is for the exclusive use 41 of persons of that gender; and
- 42 (II) Provide direction to a toilet facility that may be used by persons of the other gender.
 - 5. A public body that owns a public building or facility which provides a single-stall restroom to the public shall make the





single-stall restroom as inclusive and accessible as possible to a person of any gender identity or expression, including, without limitation, by allowing:

- (a) A parent or guardian of a child to enter the single-stall restroom with the child;
- (b) A person with a disability to enter the single-stall restroom with his or her caregiver, if applicable; and
- (c) A person of any gender identity or expression to use the single-stall restroom as needed.
- → The public body that owns the public building or facility which provides a single-stall restroom to the public shall not label the single-stall restroom with gendered signage and may label the single-stall restroom as available for use by any person, including, without limitation, by posting a sign which reads "All-Gender Bathroom" or "All-Accessible Bathroom."
- 6. Each public building designed on or after July 1, 2025, that is owned by a public body and in which a public meeting is held pursuant to NRS 241.020 must include any equipment and software necessary for Communication Access Realtime Translation.
- 7. The Division shall verify that all public buildings and facilities owned by the State of Nevada conform with the requirements of this section. Each political subdivision shall verify that all public buildings and facilities owned by the political subdivision conform with the requirements of this section.
- [7.] 8. A person may report a violation of this section to the Attorney General.
- [8.] 9. Upon receiving a report pursuant to subsection [7,] 8, the Attorney General shall notify the public body responsible for the alleged violation. Not later than 30 days after receiving such a notification, the public body shall:
- (a) Present evidence to the Attorney General that it is in compliance with this section; or
- (b) Begin any action necessary to comply with the requirements of this section and notify the Attorney General of the date on which it will be in compliance with those requirements.
- [9.] 10. If the public body responsible for the alleged violation fails to comply with this section, the Attorney General shall take such action as is necessary to ensure compliance with this section, including, without limitation, commencing proceedings in a court of competent jurisdiction, if appropriate.
 - [10.] 11. The provisions of this section do not:
- (a) Establish a private right of action against a public body described in subsection 5, 6 or [6;] 7; or





- (b) Authorize the filing of a complaint with the Nevada Equal Rights Commission,
- \rightarrow for a violation of the provisions of subsection 5.

[11.] 12. As used in this section:

- (a) "Caregiver" has the meaning ascribed to it in NRS 449A.306.
- (b) "Communication Access Realtime Translation" has the meaning ascribed to it in NRS 656A.025.
- (c) "Gendered signage" means any sign posted on a single-stall restroom that uses words or images of a person to denominate sex.

(d) "Single-stall restroom" means a restroom that:

- (1) Is intended for individual use; and
- (2) Contains:

- (I) A single toilet or a single urinal; or
- (II) A toilet and a urinal, neither of which is separated from the other by enclosure within a stall.
 - **Sec. 3.** NRS 389.520 is hereby amended to read as follows:

389.520 1. The Council shall:

- (a) Establish standards of content and performance, including, without limitation, a prescription of the resulting level of achievement, for the grade levels set forth in subsection 5, based upon the content of each course, that is expected of pupils for the following courses of study:
 - (1) English language arts;
 - (2) Mathematics;
 - (3) Science;
- (4) Social studies, which includes only the subjects of history, geography, economics, civics, financial literacy and multicultural education;
 - (5) The arts;
 - (6) Computer education and technology, which includes computer science and computational thinking;
 - (7) Health;
 - (8) Physical education; and
- (9) A foreign or world language [.], including, without limitation, American Sign Language.
- (b) Establish a schedule for the periodic review and, if necessary, revision of the standards of content and performance. The review must include, without limitation, the review required pursuant to NRS 390.115 of the results of pupils on the examinations administered pursuant to NRS 390.105.
- (c) Assign priorities to the standards of content and performance relative to importance and degree of emphasis and revise the standards, if necessary, based upon the priorities.





- 2. The standards for computer education and technology must include a policy for the ethical, safe and secure use of computers and other electronic devices. The policy must include, without limitation:
- (a) The ethical use of computers and other electronic devices, including, without limitation:
- (1) Rules of conduct for the acceptable use of the Internet and other electronic devices; and
 - (2) Methods to ensure the prevention of:
 - (I) Cyber-bullying;

- (II) Plagiarism; and
- (III) The theft of information or data in an electronic form;
- (b) The safe use of computers and other electronic devices, including, without limitation, methods to:
- (1) Avoid cyber-bullying and other unwanted electronic communication, including, without limitation, communication with on-line predators;
- (2) Recognize when an on-line electronic communication is dangerous or potentially dangerous; and
- (3) Report a dangerous or potentially dangerous on-line electronic communication to the appropriate school personnel;
- (c) The secure use of computers and other electronic devices, including, without limitation:
- (1) Methods to maintain the security of personal identifying information and financial information, including, without limitation, identifying unsolicited electronic communication which is sent for the purpose of obtaining such personal and financial information for an unlawful purpose;
- (2) The necessity for secure passwords or other unique identifiers;
 - (3) The effects of a computer contaminant;
 - (4) Methods to identify unsolicited commercial material; and
- (5) The dangers associated with social networking Internet sites; and
- (d) A designation of the level of detail of instruction as appropriate for the grade level of pupils who receive the instruction.
- 3. The standards for social studies must include multicultural education, including, without limitation, information relating to contributions made by men and women from various racial and ethnic backgrounds. The Council shall consult with members of the community who represent the racial and ethnic diversity of this State in developing such standards.
- 4. The standards for health must include mental health and the relationship between mental health and physical health.





- 5. The Council shall establish standards of content and performance for each grade level in kindergarten and grades 1 to 8, inclusive, for English language arts and mathematics. The Council shall establish standards of content and performance for the grade levels selected by the Council for the other courses of study prescribed in subsection 1.
- 6. The Council shall forward to the State Board the standards of content and performance established by the Council for each course of study. The State Board shall:
- (a) Adopt the standards for each course of study, as submitted by the Council; or
- (b) If the State Board objects to the standards for a course of study or a particular grade level for a course of study, return those standards to the Council with a written explanation setting forth the reason for the objection.
- 7. If the State Board returns to the Council the standards of content and performance for a course of study or a grade level, the Council shall:
- (a) Consider the objection provided by the State Board and determine whether to revise the standards based upon the objection; and
- (b) Return the standards or the revised standards, as applicable, to the State Board.
- The State Board shall adopt the standards of content and performance or the revised standards, as applicable.
- 8. The Council shall work in cooperation with the State Board to prescribe the examinations required by NRS 390.105.
 - 9. As used in this section:
- (a) "Computer contaminant" has the meaning ascribed to it in NRS 205.4737.
- (b) "Cyber-bullying" has the meaning ascribed to it in NRS 388.123.
- (c) "Electronic communication" has the meaning ascribed to it in NRS 388.124.
- **Sec. 4.** 1. The Department of Education shall conduct a study during the 2025-2026 interim to determine the need for a school for pupils who are deaf or hard of hearing.
- 2. In conducting the study, the Department of Education shall consult with and solicit input from persons and organizations who advocate for or provide services to children who are deaf or hard of hearing.
 - 3. The study must include, without limitation:
- (a) An assessment of issues facing pupils who are deaf or hard of hearing in public schools in Nevada.





- (b) An assessment of current public school programs for pupils who are deaf or hard of hearing in Nevada.
- (c) Statistical information on the number of pupils in each school district who are deaf or hard of hearing.
- 4. Not later than December 31, 2026, the Department of Education shall prepare and submit a report on the findings of the study conducted pursuant to subsection 1 to the Director of the Legislative Counsel Bureau for transmittal to the 84th Session of the Nevada Legislature.
- **Sec. 5.** The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.
 - **Sec. 6.** This act becomes effective on July 1, 2025.





