

ASSEMBLY BILL NO. 94—ASSEMBLYMEMBER O’NEILL

PREFILED JANUARY 13, 2025

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to public works. (BDR 28-193)

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 public works; requiring contractors and subcontractors on a public work to register for and participate in the federal E-Verify employment verification system to verify eligibility for employment for all workers on the public work; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Under existing law, a contractor or subcontractor on a public work is required  
2 to comply with certain requirements, such as making employment decisions  
3 without discrimination based on race, color, creed, national origin, sex, sexual  
4 orientation, gender identity or expression or age. (NRS 338.125) **Section 1** of this  
5 bill requires each contractor and subcontractor on a public work to register for and  
6 participate in the federal E-Verify employment verification system to verify the  
7 employment eligibility of all workers on the public work. **Section 2** of this bill: (1)  
8 requires the Labor Commissioner to enforce the provisions of **section 1**; and (2)  
9 authorizes the Labor Commissioner to impose certain administrative penalties for  
10 violations of **section 1**.

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

1 **Section 1.** Chapter 338 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3 *1. Each contractor and subcontractor on a public work shall*  
4 *register for and participate in the E-Verify system to verify the*  
5 *eligibility for employment of all workers on the public work.*



1       2. *As used in this section, "E-Verify system" means the*  
2 *electronic employment verification system established pursuant to*  
3 *8 U.S.C. § 1324a and administered by the United States*  
4 *Department of Homeland Security through which employers may*  
5 *verify the eligibility for employment of their employees.*

6       **Sec. 2.** NRS 338.015 is hereby amended to read as follows:

7       338.015 1. The Labor Commissioner shall enforce the  
8 provisions of NRS 338.010 to 338.130, inclusive ~~§~~, *and section 1*  
9 *of this act.*

10      2. Except as otherwise provided in NRS 338.035 and in  
11 addition to any other remedy or penalty provided in this chapter, if  
12 any person, including, without limitation, a public body, violates  
13 any provision of NRS 338.010 to 338.130, inclusive, *and section 1*  
14 *of this act*, or any regulation adopted pursuant thereto, the Labor  
15 Commissioner may, after providing the person with notice and an  
16 opportunity for a hearing, impose against the person an  
17 administrative penalty of not more than \$5,000 for each such  
18 violation.

19      3. The Labor Commissioner may, by regulation, establish a  
20 sliding scale based on the severity of the violation to determine the  
21 amount of the administrative penalty to be imposed against the  
22 person pursuant to this section.

23      4. The Labor Commissioner shall report the violation to the  
24 Attorney General, and the Attorney General may prosecute the  
25 person in accordance with law.

