

SENATE BILL NO. 107—SENATOR NEAL

PREFILED JANUARY 21, 2025

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to housing. (BDR 18-83)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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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 housing; revising various provisions relating to discrimination in housing; providing civil penalties and other remedies for certain violations; authorizing the Nevada Equal Rights Commission within the Department of Employment, Training and Rehabilitation to enter into certain agreements with the United States Department of Housing and Urban Development for the Commission to investigate and enforce laws relating to fair housing as a certified agency under federal law; providing that certain conduct relating to an applicant or tenant’s arrest record constitutes an unlawful discriminatory practice in housing; providing that certain requirements relating to guarantors constitutes an unlawful discriminatory practice in housing; requiring a landlord to provide to a tenant a statement relating to utility service in certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates the Nevada Equal Rights Commission within the
2 Department of Employment, Training and Rehabilitation. (NRS 232.910, 233.030)
3 The Commission is authorized to investigate and conduct hearings concerning acts
4 of prejudice with regard to housing, employment and public accommodations.
5 (NRS 233.150) Existing law sets forth the Nevada Fair Housing Law to prohibit
6 discrimination in housing. (NRS 118.010-118.120) In addition, the federal Fair
7 Housing Act of 1968, as amended, prohibits discrimination in the sale, rental and
8 financing of dwellings and in other housing-related transactions. (42 U.S.C. §§
9 3601 et seq.)



10 **Sections 15, 18 and 19** of this bill revise references to the types of
11 discrimination from which persons are protected in Nevada to conform to federal
12 law.

13 **Section 19** authorizes the Commission to initiate a complaint alleging an
14 unlawful discriminatory practice in housing. **Section 21** of this bill requires the
15 Commission to investigate each complaint which alleges an unlawful
16 discriminatory practice in housing and to attempt to resolve the issues raised in the
17 complaint through informal negotiations with the parties. **Section 22** of this bill
18 requires the Commission to serve upon a complainant certain information.

19 **Section 12** of this bill establishes new procedures and requirements with
20 respect to investigations and administrative hearings concerning such complaints.
21 Following the Commission's investigation of a complaint, if the Administrator of
22 the Commission determines that probable cause exists to believe that an unlawful
23 discriminatory practice in housing has occurred or is about to occur, **section 12**
24 requires the Attorney General to: (1) prepare a notice of hearing and serve the
25 notice upon the parties; and (2) unless a party elects to have the matter determined
26 by a court, prepare and prosecute the complaint in a public hearing before the
27 Commission. If the Commission, based on a preponderance of the evidence,
28 determines that an unlawful discriminatory practice in housing has occurred,
29 **section 12** authorizes the Commission to issue an order to cease and desist, order
30 appropriate injunctive or other equitable relief, award actual damages, impose civil
31 penalties and award costs and attorney's fees. **Section 26** of this bill makes a
32 conforming change to eliminate a requirement for the Commission to hold an
33 informal meeting of the parties.

34 **Section 13** of this bill provides for the determination of a complaint by a court
35 instead of the Commission. **Section 14** of this bill establishes procedures for the
36 judicial review of a final decision of the Commission.

37 **Sections 2-11 and 16** of this bill move definitions in existing law relating to the
38 Commission and define various terms relating to the complaint process. **Sections**
39 **22-24, 26 and 27** of this bill make conforming changes to existing law to
40 incorporate those terms. **Section 25** of this bill makes a conforming change to refer
41 to a provision that has been renumbered in **section 24**.

42 Existing law prohibits the Commission from entering into certain agreements
43 with the United States Department of Housing and Urban Development for the
44 Commission to investigate and enforce laws relating to fair housing as a certified
45 agency under federal law unless the Legislature expressly authorizes the
46 Commission to do so. (NRS 233.153) **Section 20** of this bill authorizes the
47 Commission to enter into such an agreement without legislative approval.

48 **Section 28** of this bill provides that the provisions of existing law relating to
49 the judicial review of decisions of the Commission concerning unlawful
50 discriminatory practice in housing prevail over the provisions of the Nevada
51 Administrative Procedure Act. (Chapter 233 of NRS)

52 **Section 32** of this bill prohibits, with certain exceptions, a person seeking to
53 rent or lease a dwelling, or renting or leasing a dwelling, from: (1) refusing to rent
54 or lease, or refusing to negotiate to rent or lease, a dwelling to an applicant on the
55 basis of the applicant's arrest record; (2) making, printing or publishing any notice,
56 statement or advertisement relating to the rental or lease which indicates a
57 preference based on the arrest record of an applicant; and (3) evicting a tenant from
58 a dwelling on the basis of his or her arrest record. **Section 32** also requires a person
59 who makes a dwelling available for rent or lease to provide each applicant with
60 information on how to file an appeal of a denial to rent or lease or file a complaint
61 with the Commission. **Section 32** limits the applicability of these provisions to any
62 dwelling unit that is owned by a natural person and contains five or more dwelling
63 units. For purposes of **section 32**, a "dwelling" is defined, with certain exceptions,
64 as: (1) public housing; (2) any housing that is rented or leased to a tenant pursuant



65 to a contract with a housing authority; or (3) any housing which accepts vouchers
66 for rental payment. A "dwelling" does not include: (1) a manufactured home; or (2)
67 a single-family house owned by a natural person or any other housing that is owned
68 by a natural person and has four or fewer dwelling units.

69 **Section 33** of this bill prohibits a person seeking to rent or lease a dwelling, or
70 renting or leasing a dwelling from: (1) requiring a guarantor on a contract to rent or
71 lease a dwelling to provide proof of income in an amount greater than two times the
72 monthly rent or lease; (2) refusing to rent or lease or refusing to negotiate to rent or
73 lease a dwelling to an applicant because a guarantor has not provided proof of
74 income in an amount greater than two times the monthly rent or lease; or (3)
75 making, printing or publishing any notice, statement or advertisement relating to
76 the rental or lease of a dwelling which indicates a requirement for a guarantor to
77 provide proof of income in an amount greater than two times the monthly rent.

78 **Sections 34-45** of this bill amend the Nevada Fair Housing Law to conform to
79 federal law. **Section 36** revises the definition of "disability" to exclude any current
80 illegal use of or addiction to a controlled substance. **Sections 37 and 38** revise the
81 definitions of "dwelling" and "person," respectively. **Sections 30 and 31** of this bill
82 define the terms "aggrieved person" and "unlawful discriminatory practice in
83 housing," respectively.

84 **Section 39** revises the prohibited practices which constitute an unlawful
85 discriminatory practice in housing in Nevada. **Section 39** prohibits discrimination
86 in real estate-related transactions. **Section 39** also sets forth certain exceptions to
87 the application of its provisions.

88 **Section 40** prohibits a person from refusing to: (1) allow a person with a
89 disability to make reasonable modifications to a dwelling which may be necessary
90 to afford the person with a disability full enjoyment of the dwelling, if the person
91 with a disability pays for the modifications; or (2) make reasonable
92 accommodations in rules, policies, practices or services which may be necessary to
93 afford a person with a disability equal opportunity to use and enjoy the dwelling.

94 **Section 41** revises accessibility requirements relating to the design and
95 construction of a covered multifamily dwelling. **Section 42** revises provisions
96 prohibiting a landlord from refusing to rent a dwelling to a person with a disability
97 with a service animal.

98 **Sections 43-45** revise provisions governing civil actions to enforce certain
99 provisions relating to discrimination in housing.

100 The Residential Landlord and Tenant Act sets forth certain rights and
101 obligations of a landlord and tenant for certain residential tenancies in this State.
102 (Chapter 118A of NRS) **Section 46** of this bill adds to the Act a provision requiring
103 a landlord to provide an itemized statement to a tenant if the tenant pays the
104 landlord for any utility service.

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

1 **Section 1.** Chapter 233 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 14, inclusive, of this
3 act.

4 **Sec. 2.** *"Administrator" means the Administrator of the*
5 *Commission.*

6 **Sec. 3.** *"Aggrieved person" has the meaning ascribed to it in*
7 *section 30 of this act.*



1 **Sec. 4.** *“Commission” means the Nevada Equal Rights*
2 *Commission within the Department of Employment, Training and*
3 *Rehabilitation.*

4 **Sec. 5. 1.** *“Complainant” means a person by whom, or on*
5 *whose behalf, a complaint is made which alleges an unlawful*
6 *discriminatory practice over which the Commission has*
7 *jurisdiction pursuant to this chapter.*

8 **2.** *As used in this section, “person” includes the Commission.*

9 **Sec. 6.** *“Conciliation” means the attempted resolution of*
10 *issues raised by a complaint, or by the investigation of a*
11 *complaint, through informal negotiations involving the aggrieved*
12 *person, the respondent and the Commission.*

13 **Sec. 7.** *“Disability” has the meaning ascribed to it in*
14 *NRS 118.045.*

15 **Sec. 8.** *“Familial status” has the meaning ascribed to it in*
16 *NRS 118.065.*

17 **Sec. 9.** *“Member” means a member of the Commission.*

18 **Sec. 10.** *“Respondent” means a natural person or other*
19 *person against whom a complaint is made which alleges an*
20 *unlawful discriminatory practice and over which the Commission*
21 *has jurisdiction pursuant to this chapter.*

22 **Sec. 11.** *“Unlawful discriminatory practice in housing” has*
23 *the meaning ascribed to it in section 31 of this act.*

24 **Sec. 12. 1.** *When a complaint is filed in which allegations,*
25 *if true, would support a finding of an unlawful discriminatory*
26 *practice in housing:*

27 **(a)** *The Commission shall, to the extent practicable throughout*
28 *the complaint process, engage in conciliation with respect to the*
29 *complaint. If an agreement is reached with regard to the matters*
30 *alleged in the complaint, no further action may be taken by the*
31 *complainant or the Commission with regard to the matters alleged*
32 *in the complaint.*

33 **(b)** *Each conciliation agreement between a complainant and a*
34 *respondent must be approved by the Commission. The*
35 *Commission may reject any conciliation agreement that it*
36 *determines is not in the public interest. A conciliation agreement*
37 *may provide for binding arbitration of the matters alleged in the*
38 *complaint and for the awarding of any appropriate relief in the*
39 *arbitration, including, without limitation, monetary relief.*

40 **(c)** *The Commission shall make a conciliation agreement*
41 *public, unless the complainant and the respondent agree that it*
42 *not be made public and the Commission determines that public*
43 *disclosure of the agreement would not further the purposes of this*
44 *chapter or NRS 118.010 to 118.120, inclusive, and sections 30 to*
45 *33, inclusive, of this act.*



1 2. The Commission shall, at the conclusion of any
2 investigation required by NRS 233.157, prepare a final
3 investigative report containing:

- 4 (a) The name and the date of contact with each witness;
- 5 (b) A summary of and the dates of correspondence and other
6 contact with the complainant and the respondent;
- 7 (c) A summary description of other pertinent records;
- 8 (d) A summary of witness statements; and
- 9 (e) Answers to interrogatories.

10 ↪ The Commission may amend the final investigative report if
11 additional evidence is discovered.

12 3. If, at the conclusion of an investigation required by NRS
13 233.157, the Administrator determines that there is not probable
14 cause to believe that an unlawful discriminatory practice in
15 housing has occurred or is about to occur, the Administrator shall
16 dismiss the complaint and notify the complainant and the
17 respondent.

18 4. If, at the conclusion of an investigation required by NRS
19 233.157, the Administrator determines that there is probable cause
20 to believe that an unlawful discriminatory practice in housing has
21 occurred or is about to occur, and attempts at conciliation have
22 failed:

23 (a) The Attorney General shall prepare a notice of hearing
24 that complies with the requirements of NRS 233B.121 and serve a
25 copy of the notice upon the complainant, the aggrieved person and
26 the respondent, together with a notice of the right, in lieu of the
27 hearing, to elect to have the matter determined in a civil action in
28 a court of competent jurisdiction pursuant to section 13 of this act.

29 (b) Any aggrieved person may intervene as a party in the
30 proceeding.

31 5. Unless an election is made to have the matter determined
32 in a court of competent jurisdiction pursuant to section 13 of this
33 act, the Commission shall hold a public hearing on the matter in
34 conformance with the requirements of chapter 233B of NRS,
35 except that the provisions of subsection 5 of NRS 233B.121 and
36 NRS 233B.124 do not apply to the hearing. The Attorney General
37 shall prepare and prosecute the complaint on behalf of the
38 complainant.

39 6. If, after a hearing held pursuant to subsection 5, the
40 Commission determines, based on a preponderance of the
41 evidence, that an unlawful discriminatory practice in housing has
42 occurred, the Commission shall serve a copy of its findings of fact
43 and conclusions of law upon the complainant, the aggrieved
44 persons and the respondent within 10 days after such a finding
45 and may:



1 (a) Order the respondent to cease and desist from the unlawful
2 practice;

3 (b) Order such injunctive or equitable relief as may be
4 appropriate;

5 (c) Award actual damages to the complainant;

6 (d) Impose upon the respondent:

7 (1) Except as otherwise provided in this paragraph, a civil
8 penalty of not more than \$16,000;

9 (2) If the respondent has been adjudged in a separate
10 action to have committed any violation of NRS 118.010 to 118.120,
11 inclusive, and sections 30 to 33, inclusive, of this act within the 5-
12 year period immediately preceding the filing of the complaint, a
13 civil penalty of not more than \$37,500; or

14 (3) If the respondent has been adjudged in one or more
15 separate actions to have committed two or more violations of NRS
16 118.010 to 118.120, inclusive, and sections 30 to 33, inclusive, of
17 this act within the 7-year period immediately preceding the filing
18 of the complaint, a civil penalty of not more than \$65,000; and

19 (e) Award costs and reasonable attorney's fees to the
20 complainant.

21 7. If, after a hearing held pursuant to subsection 5, the
22 Commission determines, based on a preponderance of the
23 evidence, that an unlawful discriminatory practice in housing has
24 not occurred, the Commission:

25 (a) Shall dismiss the matter and make the dismissal public;
26 and

27 (b) May, upon motion of the respondent, award costs and
28 reasonable attorney's fees to the respondent, if the Commission
29 determines that the complaint, had it been filed with a court,
30 would have violated and been grounds for sanctions under Rule
31 11 of the Nevada Rules of Civil Procedure.

32 8. Any resolution of a complaint before a final order of the
33 Commission is issued following a hearing held pursuant to
34 subsection 5 must, to the extent practicable, be agreed to by the
35 aggrieved person.

36 9. If the respondent fails to comply with a final order of the
37 Commission, the Commission shall apply to the district court for
38 an order compelling compliance. If the court finds that the
39 respondent has violated the order by failing to cease and desist
40 from the unlawful practice, failing to make any payment ordered
41 or otherwise failing to comply with the order, the court shall
42 award the aggrieved person actual damages caused by the
43 noncompliance.

44 10. After the Commission has held a public hearing and
45 rendered a decision, the complainant is barred from proceeding on



1 *the same facts and legal theory before any other administrative*
2 *body or officer.*

3 **Sec. 13.** 1. *If, pursuant to subsection 4 of section 12 of this*
4 *act, the Administrator determines that there is probable cause to*
5 *believe that an unlawful discriminatory practice in housing has*
6 *occurred or is about to occur, and attempts at conciliation have*
7 *failed, the complainant, the aggrieved person or the respondent*
8 *may, in lieu of a hearing before the Commission pursuant to*
9 *section 12 of this act, elect to have the claims of an unlawful*
10 *discriminatory practice in housing that were set forth in the*
11 *complaint decided by a court of competent jurisdiction.*

12 2. *An election made pursuant to subsection 1 must be made*
13 *in writing and be received by the Commission not later than 20*
14 *days after the date on which the notice of hearing was served*
15 *pursuant to subsection 4 of section 12 of this act.*

16 3. *The Attorney General may, if requested by the complainant*
17 *or the aggrieved person, prepare, file and litigate a civil action on*
18 *behalf of the complainant or the aggrieved person.*

19 4. *Any aggrieved person, with respect to the issues to be*
20 *determined in the civil action, may intervene as a matter of right*
21 *in the civil action.*

22 5. *If the court, based on a preponderance of the evidence,*
23 *determines that the defendant has committed or is about to commit*
24 *an unlawful discriminatory practice in housing, the court may:*

25 (a) *If the aggrieved person has not complied with discovery*
26 *orders entered by the court, award actual and punitive damages to*
27 *the complainant or the aggrieved person, except that the court*
28 *may not award monetary damages to an aggrieved person who*
29 *does not intervene;*

30 (b) *Award costs and reasonable attorney's fees to the*
31 *complainant or the aggrieved person; and*

32 (c) *Order such other relief as the court determines appropriate,*
33 *including, without limitation:*

34 (1) *Ordering a permanent or temporary injunction;*

35 (2) *Issuing a temporary restraining order; or*

36 (3) *Enjoining the defendant from engaging in the unlawful*
37 *practice or ordering such other affirmative action as the court*
38 *determines appropriate.*

39 6. *If the court, based on a preponderance of the evidence,*
40 *determines that the defendant has not committed and is not about*
41 *to commit an unlawful discriminatory practice in housing, the*
42 *court shall dismiss the action and may, upon the motion of the*
43 *defendant, award costs and reasonable attorney's fees to*
44 *the defendant, if the court determines that the complaint was*



1 *prosecuted in violation of Rule 11 of the Nevada Rules of Civil*
2 *Procedure.*

3 *7. The Commission shall notify the complainant, all*
4 *aggrieved persons and the respondent of the court's decision in*
5 *any action filed pursuant to this section.*

6 **Sec. 14.** *1. An order of the Commission issued pursuant to*
7 *section 12 of this act in a complaint alleging an unlawful*
8 *discriminatory practice in housing is a final decision in a*
9 *contested case for the purpose of judicial review.*

10 *2. Any person identified as a party of record in a hearing*
11 *before the Commission on a complaint alleging an unlawful*
12 *discriminatory practice in housing who is aggrieved by a final*
13 *decision of the Commission may request judicial review.*

14 *3. A petition for judicial review must:*

15 *(a) Name as respondents the Commission and all parties of*
16 *record to the hearing;*

17 *(b) Be instituted by filing the petition in the district court in*
18 *and for Carson City, in and for the county in which the aggrieved*
19 *party resides or in and for the county in which the hearing*
20 *occurred; and*

21 *(c) Be filed within 30 days after service of the final decision of*
22 *the Commission.*

23 *4. A cross-petition for judicial review must be filed within 10*
24 *days after service of a petition for judicial review.*

25 *5. The Commission and any party wishing to participate in*
26 *the judicial review must file a statement of intent to participate in*
27 *the petition for judicial review and serve the statement upon the*
28 *petitioner and each named respondent within 20 days after service*
29 *of the petition.*

30 *6. The petition for judicial review and any cross-petition for*
31 *judicial review must be served upon the Commission and each*
32 *party of record within 45 days after the filing of the petition,*
33 *unless, upon a showing of good cause, the district court extends*
34 *the time for such service.*

35 *7. The Commission shall, within 30 days after receipt of*
36 *service of the petition for judicial review or such time as allowed*
37 *by the court, transmit to the court the original or a certified copy*
38 *of the entire record of the proceeding under review, including,*
39 *without limitation, a transcript of the evidence resulting in the*
40 *final decision of the Commission. The record may be shortened by*
41 *stipulation of the parties to the proceeding. If the court determines*
42 *that a party has unreasonably refused to stipulate to limit the*
43 *record, the court may assess any additional costs resulting from*
44 *the refusal against that party. The court may require or permit*
45 *subsequent corrections or additions to the record.*



1 8. *If, before submission to the court, an application is made*
2 *to the court for leave to present additional evidence, and it is*
3 *shown to the satisfaction of the court that the additional evidence*
4 *is material and that there were good reasons for failure to present*
5 *it in the proceeding before the Commission, the court may order*
6 *that the additional evidence be taken before the Commission upon*
7 *such conditions as the court determines appropriate. After receipt*
8 *of any additional evidence, the Commission:*

9 (a) *May modify its finding and decision; and*

10 (b) *Shall file the evidence and any modification, new finding*
11 *or decision with the court.*

12 9. *A petitioner or cross-petitioner who is seeking judicial*
13 *review shall serve and file a memorandum of points and*
14 *authorities within 40 days after the Commission gives written*
15 *notice to the parties that the record of the proceeding under review*
16 *has been filed with the court.*

17 10. *The respondent or cross-petitioner may serve and file a*
18 *reply memorandum of points and authorities within 30 days after*
19 *service of the memorandum of points and authorities.*

20 11. *The petitioner or cross-petitioner may serve and file a*
21 *reply memorandum of points and authorities within 30 days after*
22 *service of the reply memorandum.*

23 12. *Within 7 days after the expiration of the period within*
24 *which the petitioner is authorized to reply pursuant to subsection*
25 *11, any party may request a hearing. Unless a request for a*
26 *hearing has been filed, the matter shall be deemed submitted.*

27 13. *All memoranda of points and authorities filed in*
28 *proceedings involving petitions for judicial review must be in the*
29 *form provided for appellate briefs in Rule 28 of the Nevada Rules*
30 *of Appellate Procedure.*

31 14. *The court, for good cause, may extend the times allowed*
32 *in this section for filing memoranda.*

33 15. *Judicial review of a final decision of the Commission*
34 *must be:*

35 (a) *Conducted by the court without a jury; and*

36 (b) *Confined to the record.*

37 ↪ *In cases concerning alleged irregularities in procedure before*
38 *the Commission that are not shown in the record, the court may*
39 *receive evidence concerning the irregularities.*

40 16. *The final decision of the Commission shall be deemed*
41 *reasonable and lawful until reversed or set aside in whole or in*
42 *part by the court. The burden of proof is on the party attacking or*
43 *resisting the decision to show that the final decision is invalid*
44 *pursuant to subsection 17.*



1 *17. The court shall not substitute its judgment for that of the*
2 *Commission as to the weight of evidence on a question of fact. The*
3 *court may remand or affirm the final decision or set it aside in*
4 *whole or in part if substantial rights of the petitioner have been*
5 *prejudiced because the final decision of the Commission is:*

6 (a) *In violation of any constitutional or statutory provision;*

7 (b) *In excess of the statutory authority of the Commission;*

8 (c) *Made upon unlawful procedure;*

9 (d) *Affected by other error of law;*

10 (e) *Clearly erroneous in view of the reliable, probative and*
11 *substantial evidence on the whole record; or*

12 (f) *Arbitrary or capricious or characterized by abuse of*
13 *discretion.*

14 *18. A petitioner who applies for a stay of the final decision of*
15 *the Commission shall file and serve a written motion for the stay*
16 *on the Commission and all parties of record to the proceeding at*
17 *the time of filing the petition for judicial review. The petitioner*
18 *must provide security before the court may issue a stay.*

19 *19. In determining whether to grant a stay, the court shall*
20 *consider the same factors as are considered for a preliminary*
21 *injunction under Rule 65 of the Nevada Rules of Civil Procedure.*

22 *20. In making a ruling, the court shall:*

23 (a) *Give deference to the Commission; and*

24 (b) *Consider the risk to the public, if any, of staying the*
25 *decision of the Commission.*

26 *21. An aggrieved party may obtain a review of any final*
27 *judgment of the district court by appeal to the Nevada Supreme*
28 *Court. The appeal may be taken as in other civil cases.*

29 **Sec. 15.** NRS 233.010 is hereby amended to read as follows:

30 233.010 1. It is hereby declared to be the public policy of the
31 State of Nevada to protect the welfare, prosperity, health and peace
32 of all the people of the State, and to foster the right of all persons
33 reasonably to seek and obtain housing accommodations without
34 discrimination, distinction or restriction because of race, ~~religious~~
35 ~~creed,~~ *religion*, color, age, sex, disability, *familial status*, sexual
36 orientation, gender identity or expression ~~[]~~ *or* national origin . ~~or~~
37 ~~ancestry.~~

38 2. It is hereby declared to be the public policy of the State of
39 Nevada to protect the welfare, prosperity, health and peace of all the
40 people of the State, and to foster the right of all persons reasonably
41 to seek and be granted services in places of public accommodation
42 without discrimination, distinction or restriction because of race,
43 ~~religious-creed,~~ *religion*, color, age, sex, disability, *familial status*,
44 sexual orientation, national origin ~~[, ancestry]~~ *or* gender identity or
45 expression.



3. It is hereby declared to be the public policy of the State of Nevada to protect the welfare, prosperity, health and peace of all the people of the State, and to foster the right of all persons reasonably to seek, obtain and hold employment without discrimination, distinction or restriction because of race, ~~religious creed,~~ *religion*, color, age, sex, disability, *familial status*, sexual orientation, gender identity or expression ~~;~~ *or* national origin . ~~for ancestry.~~ As used in this subsection:

(a) "Protective hairstyle" includes, without limitation, hairstyles such as natural hairstyles, afros, bantu knots, curls, braids, locks and twists.

(b) "Race" includes traits associated with race, including, without limitation, hair texture and protective hairstyles.

4. It is recognized that the people of this State should be afforded full and accurate information concerning actual and alleged practices of discrimination and acts of prejudice, and that such information may provide the basis for formulating statutory remedies of equal protection and opportunity for all citizens in this State.

Sec. 16. NRS 233.020 is hereby amended to read as follows:

233.020 As used in this chapter ~~;~~

~~1. "Administrator" means the Administrator of the Commission.~~

~~2. "Commission" means the Nevada Equal Rights Commission within the Department of Employment, Training and Rehabilitation.~~

~~3. "Disability" means, with respect to a person:~~

~~(a) A physical or mental impairment that substantially limits one or more of the major life activities of the person;~~

~~(b) A record of such an impairment; or~~

~~(c) Being regarded as having such an impairment.~~

~~4. "Member" means a member of the Nevada Equal Rights Commission.] , unless the context otherwise requires, the words and terms defined in sections 2 to 11, inclusive, of this act have the meanings ascribed to them in those sections.~~

Sec. 17. NRS 233.085 is hereby amended to read as follows:

233.085 The Governor may designate another agency to perform the duties and functions of the Commission set forth in NRS 233.150 ~~;~~ ~~233.160, 233.165 and 233.170.] and 233.157 to 233.170, inclusive, and sections 12, 13 and 14 of this act.~~

Sec. 18. NRS 233.140 is hereby amended to read as follows:

233.140 The Commission shall:

1. Foster mutual understanding and respect among all groups, including, without limitation, those based on race, religion, disability, ethnicity, sexual orientation and gender identity or expression, and between the sexes in the State.



1 2. Aid in securing equal health and welfare services and
2 facilities for all the residents of the State without regard to race,
3 *color*, religion, sex, sexual orientation, gender identity or
4 expression, age, disability, *familial status* or ~~[nationality.]~~ *national*
5 *origin*.

6 3. Study problems arising between groups within the State
7 which may result in tensions, discrimination or prejudice because of
8 race, color, ~~[creed.]~~ *religion*, sex, sexual orientation, gender identity
9 or expression, age, disability, *familial status or* national origin ~~[or~~
10 ~~ancestry.]~~ and formulate and carry out programs of education and
11 disseminate information with the object of discouraging and
12 eliminating any such tensions, prejudices or discrimination.

13 4. Secure the cooperation of various groups, including, without
14 limitation, those based on race, *color*, religion, sex, sexual
15 orientation, gender identity or expression, age, disability,
16 ~~[nationality.]~~ *familial status, national origin* and ethnicity, veterans'
17 organizations, labor organizations, business and industry
18 organizations and fraternal, benevolent and service groups, in
19 educational campaigns devoted to the need for eliminating group
20 prejudice, racial or area tensions, intolerance or discrimination.

21 5. Cooperate with and seek the cooperation of federal and state
22 agencies and departments in carrying out projects within their
23 respective authorities to eliminate intergroup tensions and to
24 promote intergroup harmony.

25 6. Develop and carry out programs of education and
26 disseminate information as necessary to inform employers,
27 employees, employment agencies and job applicants about their
28 rights and responsibilities set forth in NRS 613.4353 to 613.4383,
29 inclusive.

30 **Sec. 19.** NRS 233.150 is hereby amended to read as follows:

31 233.150 The Commission may:

32 1. Order its Administrator to:

33 (a) With regard to public accommodation, investigate tensions,
34 practices of discrimination and acts of prejudice against any person
35 or group because of race, color, ~~[creed.]~~ *religion*, sex, age,
36 disability, *familial status*, sexual orientation, national origin ~~[~~
37 ~~ancestry]~~ or gender identity or expression and may conduct hearings
38 with regard thereto.

39 (b) With regard to housing, investigate tensions, practices of
40 discrimination and acts of prejudice against any person or group
41 because of race, color, ~~[creed.]~~ *religion*, sex, age, disability, *familial*
42 *status*, sexual orientation, gender identity or expression ~~[.]~~ *or*
43 national origin ~~[or ancestry.]~~ and may conduct hearings with regard
44 thereto.

45 (c) With regard to employment, investigate:



1 (1) Tensions, practices of discrimination and acts of
2 prejudice against any person or group because of race, color,
3 ~~freed,~~ *religion*, sex, age, disability, *familial status*, sexual
4 orientation, gender identity or expression ~~;~~ *or* national origin ~~or~~
5 ~~ancestry;~~ and may conduct hearings with regard thereto; and

6 (2) Any unlawful employment practice by an employer
7 pursuant to the provisions of NRS 613.4353 to 613.4383, inclusive,
8 and may conduct hearings with regard thereto.

9 ➔ As used in this paragraph, "race" includes traits associated with
10 race, including, without limitation, hair texture and protective
11 hairstyles, as defined in paragraph (a) of subsection 3 of
12 NRS 233.010.

13 2. Mediate between or reconcile the persons or groups involved
14 in those tensions, practices and acts.

15 3. Issue subpoenas for the attendance of witnesses or for the
16 production of documents or tangible evidence relevant to any
17 investigations or hearings conducted by the Commission.

18 4. Delegate its power to hold hearings and issue subpoenas to
19 any of its members or any hearing officer in its employ.

20 5. *Initiate a complaint against an unlawful discriminatory*
21 *practice in housing.*

22 6. Adopt reasonable regulations necessary for the Commission
23 to carry out the functions assigned to it by law.

24 **Sec. 20.** NRS 233.153 is hereby amended to read as follows:

25 233.153 1. The Commission ~~shall not~~ *may* contract with or
26 enter into a memorandum of understanding with the United States
27 Department of Housing and Urban Development for the
28 Commission to investigate and enforce laws relating to fair housing
29 as a certified agency. ~~unless the Legislature, by resolution or other~~
30 ~~appropriate legislative measure, expressly authorizes the~~
31 ~~Commission to do so.~~

32 2. As used in this section:

33 (a) "Certified agency" has the meaning ascribed to it in 24
34 C.F.R. § 115.100(c). The term refers to the certification of an
35 agency as substantially equivalent as described in 42 U.S.C. §
36 3610(f)(3)(A) and 24 C.F.R. Part 115, Subpart B.

37 (b) "Memorandum of understanding" means the memorandum
38 of understanding described in 24 C.F.R. § ~~115.210.~~ *115.205.*

39 **Sec. 21.** NRS 233.157 is hereby amended to read as follows:

40 233.157 1. The Commission shall accept any complaint
41 alleging an unlawful discriminatory practice over which it has
42 jurisdiction pursuant to this chapter.

43 2. The Commission shall adopt regulations setting forth the
44 manner in which the Commission will process ~~any such~~ *a*
45 complaint ~~and~~ *received pursuant to subsection 1.*



1 **3. If a complaint alleges an unlawful discriminatory practice**
2 **in employment or public accommodations, the Commission shall**
3 determine whether to hold an informal *settlement* meeting or
4 conduct an investigation concerning the complaint.

5 **4. If a complaint alleges an unlawful discriminatory practice**
6 **in housing, the Commission shall investigate the complaint and**
7 **shall, to the extent practicable, engage in conciliation with respect**
8 **to the complaint.**

9 **Sec. 22.** NRS 233.160 is hereby amended to read as follows:

10 233.160 1. A complaint which alleges an unlawful
11 discriminatory practice in:

12 (a) Housing must be filed with the Commission not later than 1
13 year after the date of the occurrence of the alleged practice or the
14 date on which the practice terminated.

15 (b) Employment or public accommodations must be filed with
16 the Commission not later than 300 days after the date of the
17 occurrence of the alleged practice.

18 ↗ A complaint is timely if it is filed with an appropriate federal
19 agency within that period. A complainant shall not file a complaint
20 with the Commission if any other state or federal administrative
21 body or officer which has comparable jurisdiction to adjudicate
22 complaints of discriminatory practices has made a decision upon a
23 complaint based upon the same facts and legal theory.

24 2. The complainant shall specify in the complaint the alleged
25 unlawful practice. The complaint must be in writing and signed,
26 under oath, by the complainant.

27 3. If the complaint alleges an unlawful discriminatory practice
28 ~~in~~:

29 (a) *In housing, the Commission shall, not later than 10 days*
30 *after receiving the complaint, serve upon the complainant:*

31 ~~[(a)]~~ (1) Notice that the complaint was filed with the
32 Commission;

33 ~~[(b)]~~ (2) A copy of the Commission's procedures;

34 ~~[(e)]~~ (3) The information set forth in ~~subsection 5]~~ *sections 12*
35 *and 13 of [NRS 233.170; and*

36 ~~-(d)] this act; and~~

37 (4) Information relating to the state and federal
38 administrative bodies and courts with which the complainant may
39 file the complaint.

40 (b) *In employment, the Commission shall, as soon as*
41 *practicable after receiving the complaint, notify the complainant*
42 *in writing that the complainant may request the Commission to*
43 *issue a right-to-sue notice pursuant to NRS 613.412.*

44 4. The Commission shall send to the ~~[party against whom an~~
45 ~~unlawful discriminatory practice is alleged:]~~ *respondent:*



- 1 (a) A copy of the complaint;
- 2 (b) An explanation of the rights which are available to ~~that~~
3 ~~party;~~ *the respondent*; and
- 4 (c) A copy of the Commission's procedures.

5 ➔ If the complaint alleges an unlawful discriminatory practice in
6 housing, the Commission shall comply with the requirements of this
7 subsection within 10 days after it receives the complaint.

8 5. ~~[A person against whom an unlawful discriminatory practice~~
9 ~~in housing is alleged]~~ *The respondent* may file with the
10 Commission an answer to the complaint ~~[filed against him or her]~~
11 not later than 10 days after the ~~[person]~~ *respondent* receives the
12 information described in subsection 4.

13 6. *If a complaint alleges an unlawful discriminatory practice*
14 *in housing, a person who is not named as a respondent but who is*
15 *identified as a respondent in the course of the investigation may be*
16 *joined as an additional or substitute respondent upon written*
17 *notice from the Commission to that person.*

18 7. The Commission shall notify each party to the complaint of
19 the limitation on the period of time during which a person may
20 apply to the district court for relief pursuant to NRS 613.430.

21 ~~[7. If a person files a complaint pursuant to paragraph (b) of~~
22 ~~subsection 1 which alleges an unlawful discriminatory practice in~~
23 ~~employment, the Commission shall, as soon as practicable after~~
24 ~~receiving the complaint, notify in writing the person who filed the~~
25 ~~complaint that the person may request the Commission to issue a~~
26 ~~right to sue notice pursuant to NRS 613.412.]~~

27 8. For the purposes of paragraph (b) of subsection 1, an
28 unlawful discriminatory practice in employment which relates to
29 compensation occurs on:

30 (a) Except as otherwise provided in paragraph (b), the date
31 prescribed by 42 U.S.C. § 2000e-5(e)(3)(A), as it existed on
32 January 1, 2019.

33 (b) If 42 U.S.C. § 2000e-5(e)(3)(A) is amended and the
34 Commission determines by regulation that the section, as amended,
35 provides greater protection for employees than the section as it
36 existed on January 1, 2019, the date prescribed by 42 U.S.C. §
37 2000e-5(e)(3)(A), as amended.

38 **Sec. 23.** NRS 233.165 is hereby amended to read as follows:

39 233.165 1. ~~[If the Commission determines to conduct]~~ *In*
40 *conducting* an investigation of a complaint which alleges an
41 unlawful discriminatory practice in housing in accordance with the
42 regulations adopted pursuant to NRS 233.157, the Commission
43 ~~[must:]~~ *shall*:

44 (a) Begin ~~[an]~~ *the* investigation of the complaint within 30 days
45 after it receives the complaint.



1 (b) Complete its investigation of the complaint within 100 days
2 after it receives the complaint unless it is impracticable to do so.

3 (c) Make a final disposition of the complaint within 1 year after
4 the date it receives the complaint unless it is impracticable to do so.

5 2. If the Commission determines that it is impracticable to
6 complete an investigation or make a final disposition of a complaint
7 which alleges an unlawful discriminatory practice in housing within
8 the period prescribed in subsection 1, the Commission shall send to
9 the complainant and the ~~{person against whom the complaint was~~
10 ~~filed}~~ **respondent** a statement setting forth its reasons for not
11 completing the investigation or making a final disposition of the
12 complaint within that period.

13 **Sec. 24.** NRS 233.170 is hereby amended to read as follows:

14 233.170 1. When a complaint is filed whose allegations if
15 true would support a finding of **an** unlawful practice ~~{the}~~ **in**
16 **employment or public accommodations:**

17 (a) **The** Commission shall determine whether to hold an
18 informal **settlement** meeting to attempt a settlement of the dispute in
19 accordance with the regulations adopted pursuant to NRS 233.157.
20 If the Commission determines to hold an informal **settlement**
21 meeting, the Administrator may, to prepare for the meeting, request
22 from each party any information which is reasonably relevant to the
23 complaint. ~~{Except as otherwise provided in subsection 3,}~~ **If an**
24 **agreement is reached,** no further action may be taken . ~~{if the~~
25 ~~parties agree to a settlement.~~

26 ~~—2.~~ (b) If an agreement is not reached at the informal **settlement**
27 meeting, the ~~{Administrator}~~ **Commission** shall determine whether
28 to conduct an investigation into the alleged unlawful practice in
29 accordance with the regulations adopted pursuant to NRS 233.157.
30 After the investigation, if the ~~{Administrator}~~ **Commission**
31 determines that **there is probable cause to believe that** an unlawful
32 practice has occurred, the ~~{Administrator}~~ **Commission** shall
33 ~~{attempt to mediate between or reconcile}~~ **engage in conciliation**
34 **with** the parties. The ~~{party against whom a complaint was filed}~~
35 **respondent** may agree to cease the unlawful practice ~~{Except as~~
36 ~~otherwise provided in subsection 3, if}~~ **and provide any additional**
37 **relief as the parties may agree upon. If** an agreement is reached, no
38 further action may be taken by the complainant or ~~{by}~~ the
39 Commission ~~{~~

40 ~~—3.~~ ~~If an agreement is reached by the parties in a case involving~~
41 ~~a discriminatory practice in housing, the agreement must be~~
42 ~~approved by the Commission. The agreement must be made public~~
43 ~~unless the parties otherwise agree and the Commission determines~~
44 ~~that disclosure is not necessary to further the purposes of chapter~~
45 ~~118 of NRS.~~



1 ~~—4.]~~ *with regard to the matters alleged in the complaint.*

2 (c) If the attempts at ~~[mediation or]~~ conciliation fail in a case
3 involving an unlawful practice in employment or public
4 accommodations, the Commission may hold a public hearing on the
5 matter ~~[. After]~~ *in accordance with the requirements of chapter*
6 *233B of NRS.*

7 2. *If, after* the hearing, ~~[if]~~ the Commission determines that
8 *there is probable cause to believe that* an unlawful practice has
9 occurred, ~~[it may:]~~ *the Commission:*

10 (a) ~~[Serve]~~ *Shall serve* a copy of its findings of fact within 10
11 calendar days upon ~~[any person]~~ *the respondent* found to have
12 engaged in the unlawful practice; and

13 (b) ~~[Order]~~ *May order* the ~~[person]~~ *respondent* to:

14 (1) Cease and desist from the unlawful practice. The order
15 must include, without limitation, the corrective action the ~~[person]~~
16 *respondent* must take.

17 (2) In cases involving an unlawful employment practice,
18 restore all benefits and rights to which the ~~[aggrieved person]~~
19 *complainant* is entitled, including, but not limited to, rehiring, back
20 pay for a period described in subsection ~~[5.]~~ 3, annual leave time,
21 sick leave time or pay, other fringe benefits and seniority, with
22 interest thereon from the date of the Commission's decision at a rate
23 equal to the prime rate at the largest bank in Nevada, as ascertained
24 by the Commissioner of Financial Institutions, on January 1 or
25 July 1, as the case may be, immediately preceding the date of the
26 Commission's decision, plus 2 percent. The rate of interest must be
27 adjusted accordingly on each January 1 and July 1 thereafter until
28 the judgment is satisfied.

29 (3) In cases involving an unlawful employment practice
30 relating to discrimination on the basis of sex, pay an amount
31 determined to be appropriate by the Commission for lost wages that
32 would have been earned in the absence of discrimination or other
33 economic damages resulting from the discrimination, including,
34 without limitation, lost payment for overtime, shift differential, cost
35 of living adjustments, merit increases or promotions, or other fringe
36 benefits.

37 (4) In cases involving an unlawful employment practice
38 committed by an employer with 50 or more employees that the
39 Commission determines was willful, pay a civil penalty of:

40 (I) For the first unlawful employment practice that the
41 ~~[person]~~ *respondent* has engaged in during the immediately
42 preceding 5 years which the Commission determines was willful,
43 not more than \$5,000.

44 (II) For the second unlawful employment practice that the
45 ~~[person]~~ *respondent* has engaged in during the immediately



1 preceding 5 years which the Commission determines was willful,
2 not more than \$10,000.

3 (III) For the third and any subsequent unlawful
4 employment practice that the **{person} respondent** has engaged in
5 during the immediately preceding 5 years which the Commission
6 determines was willful, not more than \$15,000.

7 ~~{5.} 3.~~ For the purposes of subparagraph (2) of paragraph (b)
8 of subsection ~~{4.} 2,~~ the period for back pay must not exceed a
9 period beginning 2 years before the date on which the complaint
10 was filed and ending on the date the Commission issues an order
11 pursuant to paragraph (b) of subsection ~~{4.} 2.~~

12 ~~{6.} 4.~~ Before imposing a civil penalty pursuant to
13 subparagraph (4) of paragraph (b) of subsection ~~{4.} 2,~~ the
14 Commission must allow the **{person} respondent** found to have
15 willfully engaged in an unlawful employment practice 30 days to
16 take corrective action from the date of service of the order *made*
17 pursuant to paragraph (a) of subsection ~~{4.} 2.~~ If the **{person}**
18 *respondent* takes such corrective action, the Commission shall not
19 impose the civil penalty.

20 ~~{7.} If the attempts at mediation or conciliation fail in a case~~
21 ~~involving an unlawful housing practice:~~

22 ~~—(a) The complainant or the person against whom the complaint~~
23 ~~was filed may elect to have the claims included in the complaint~~
24 ~~decided in a court of competent jurisdiction. If the court determines~~
25 ~~that the person against whom the complaint was filed has committed~~
26 ~~an unlawful housing practice, the court may:~~

27 ~~—(1) Award to the complainant actual damages and, within the~~
28 ~~limitations prescribed by federal law, punitive damages.~~

29 ~~—(2) Award to the prevailing party costs and reasonable~~
30 ~~attorney's fees.~~

31 ~~—(3) Order such other relief as the court deems appropriate,~~
32 ~~including, but not limited to:~~

33 ~~—(I) Ordering a permanent or temporary injunction;~~

34 ~~—(II) Issuing a temporary restraining order; or~~

35 ~~—(III) Enjoining the defendant from continuing the~~
36 ~~unlawful practice or taking other such affirmative action.~~

37 ~~—(b) If an election is not made pursuant to paragraph (a), the~~
38 ~~Commission shall hold a public hearing on the matter. After the~~
39 ~~hearing, if the Commission determines that an unlawful practice has~~
40 ~~occurred, it may:~~

41 ~~—(1) Serve a copy of its findings of fact within 10 days upon~~
42 ~~any person found to have engaged in the unlawful practice;~~

43 ~~—(2) Order the person to cease and desist from the unlawful~~
44 ~~practice;~~

45 ~~—(3) Award to the complainant actual damages; and~~



1 ~~— (4) Impose a civil penalty of not more than \$25,000 upon the~~
2 ~~person who committed the unlawful discriminatory practice.~~

3 ~~—8.] 5. If, after the hearing, the Commission determines that~~
4 ~~there is no probable cause to believe that an unlawful practice has~~
5 ~~occurred, the Commission shall dismiss the matter and make the~~
6 ~~dismissal public.~~

7 6. The order of the Commission is a final decision in a
8 contested case for the purpose of judicial review. If the ~~[person]~~
9 *respondent* fails to comply with the Commission's order, the
10 Commission shall apply to the district court for an order compelling
11 such compliance, but failure or delay on the part of the Commission
12 does not prejudice the right of an aggrieved party to judicial review.
13 The court shall issue the order unless it finds that the Commission's
14 findings or order are not supported by substantial evidence or are
15 otherwise arbitrary or capricious. If the court upholds the
16 Commission's order and finds that the ~~[person]~~ *respondent* has
17 violated the order by failing to cease and desist from the unlawful
18 practice or to make the payment ordered, the court shall award the
19 ~~[aggrieved party]~~ *complainant* actual damages for any economic
20 loss and no more.

21 ~~[9.] 7.~~ After the Commission has held a public hearing and
22 rendered a decision, the complainant is barred from proceeding on
23 the same facts and legal theory before any other administrative body
24 or officer.

25 ~~[10.] 8.~~ For the purposes of this section, an unlawful
26 employment practice shall be deemed to be willful if a person
27 engages in the practice with knowledge that it is unlawful or with
28 reckless indifference to whether it is lawful or unlawful.

29 **Sec. 25.** NRS 233.175 is hereby amended to read as follows:

30 233.175 1. The Commission shall accept a complaint that
31 alleges that a local elected officer has engaged in an unlawful
32 employment practice of discrimination pursuant to Title VII of the
33 Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq., or NRS
34 613.330 and take appropriate action.

35 2. The Commission shall present a complaint to the district
36 court pursuant to NRS 283.440 if the Commission determines after
37 a hearing held pursuant to ~~[subsection 3-off]~~ NRS 233.170 that a
38 local elected officer has engaged in an unlawful employment
39 practice of discrimination pursuant to Title VII of the Civil Rights
40 Act of 1964, 42 U.S.C. §§ 2000e et seq., or NRS 613.330 and that
41 the discriminatory practice that forms the basis of such a complaint
42 is severe or pervasive such that removal from office is an
43 appropriate remedy. In addition to any monetary penalties, the
44 Commission may impose upon the local elected officer any other
45 reasonable sanction, including, without limitation, a requirement to



1 complete a course or training related to the unlawful employment
2 practice of discrimination.

3 3. Any fine or penalty required to be paid by a local elected
4 officer because such officer was determined to have engaged in an
5 unlawful employment practice of discrimination pursuant to
6 subsection 2 must be assessed against such officer in his or her
7 personal capacity, and may not be paid with public money or
8 contributions received pursuant to chapter 294A of NRS. Except for
9 a fine or a penalty, no damages may be assessed against the local
10 elected officer in his or her personal capacity.

11 4. As used in this section, "local elected officer" means a
12 person who holds a local government office to which the person was
13 elected.

14 **Sec. 26.** NRS 233.180 is hereby amended to read as follows:

15 233.180 If, after the Administrator has conducted a preliminary
16 investigation into an alleged unlawful discriminatory practice in
17 housing, employment or public accommodations, the Commission
18 determines that the practice will cause immediate and irreparable
19 harm to any ~~{person}~~ aggrieved ~~{by the practice,}~~ *person*, the
20 Commission, ~~{after the informal meeting and}~~ before holding a
21 public hearing upon the matter, may apply on behalf of such person
22 to the district court for a temporary restraining order or preliminary
23 injunction as provided in the Nevada Rules of Civil Procedure.

24 **Sec. 27.** NRS 233.190 is hereby amended to read as follows:

25 233.190 1. Except as otherwise provided in this section or
26 NRS 239.0115, *or paragraph (c) of subsection 1 of section 12 of*
27 *this act*, any information gathered by the Commission in the course
28 of its investigation of an alleged unlawful discriminatory practice in
29 housing, employment or public accommodations is confidential.

30 2. Except as otherwise provided in subsection 5, the
31 Commission may disclose information gathered pursuant to
32 subsection 1 to:

33 (a) Any governmental entity as appropriate or necessary to carry
34 out its duties pursuant to this chapter; or

35 (b) Any other person if the information is provided in a manner
36 which does not include any information that may be used to identify
37 the complainant, the ~~{party against whom the unlawful~~
38 ~~discriminatory practice is alleged}~~ *respondent* or any person who
39 provided information to the Commission during the investigation.

40 3. Except as otherwise provided in subsection 4, the
41 Commission shall disclose information gathered pursuant to
42 subsection 1 to the complainant and the ~~{party against whom the~~
43 ~~unlawful discriminatory practice is alleged}~~ *respondent* if:

44 (a) Each has consented to such disclosure; or



1 (b) The Commission has determined to conduct a hearing on the
2 matter or apply for a temporary restraining order or an injunction or
3 an action has been filed in court concerning the complaint.

4 4. The Commission may not disclose to the complainant or the
5 ~~party against whom the unlawful discriminatory practice is~~
6 ~~alleged:]~~ *respondent:*

7 (a) Any information obtained during negotiations for a
8 settlement or attempts at mediating or conciliating the complaint.

9 (b) Any investigative notes or reports made by the Commission.

10 (c) Any information that may be used to identify a person who
11 provided information to the Commission during the investigation
12 and who has requested anonymity.

13 5. After the filing of a complaint with the Commission, access
14 to information related to the complaint must be limited only to such
15 staff of the Commission as is necessary to carry out the duties of the
16 Commission relating to the complaint. Such staff shall not disclose
17 such information to the other officers and employees of the
18 Department of Employment, Training and Rehabilitation, including,
19 without limitation, supervisors and the Director of the Department,
20 unless the disclosure is necessary to carry out the duties of the
21 Commission relating to the complaint.

22 6. Except as otherwise provided in this section or NRS
23 239.0115, *or paragraph (c) of subsection 1 of section 12 of this*
24 *act*, if the Commission's attempts at mediating or conciliating the
25 cause of the grievance succeed, the information gathered pursuant to
26 subsection 1 must remain confidential.

27 7. If the Commission proceeds with a hearing or applies for
28 injunctive relief, confidentiality concerning any information, except
29 negotiations for a settlement or attempts at mediating or conciliating
30 the cause of the grievance, is no longer required.

31 **Sec. 28.** NRS 233B.039 is hereby amended to read as follows:

32 233B.039 1. The following agencies are entirely exempted
33 from the requirements of this chapter:

34 (a) The Governor.

35 (b) Except as otherwise provided in subsection 7 and NRS
36 209.221 and 209.2473, the Department of Corrections.

37 (c) The Nevada System of Higher Education.

38 (d) The Office of the Military.

39 (e) The Nevada Gaming Control Board.

40 (f) Except as otherwise provided in NRS 368A.140 and 463.765,
41 the Nevada Gaming Commission.

42 (g) Except as otherwise provided in NRS 425.620, the Division
43 of Welfare and Supportive Services of the Department of Health and
44 Human Services.



1 (h) Except as otherwise provided in NRS 422.390, the Division
2 of Health Care Financing and Policy of the Department of Health
3 and Human Services.

4 (i) Except as otherwise provided in NRS 533.365, the Office of
5 the State Engineer.

6 (j) The Division of Industrial Relations of the Department of
7 Business and Industry acting to enforce the provisions of
8 NRS 618.375.

9 (k) The Administrator of the Division of Industrial Relations of
10 the Department of Business and Industry in establishing and
11 adjusting the schedule of fees and charges for accident benefits
12 pursuant to subsection 2 of NRS 616C.260.

13 (l) The Board to Review Claims in adopting resolutions to carry
14 out its duties pursuant to NRS 445C.310.

15 (m) The Silver State Health Insurance Exchange.

16 2. Except as otherwise provided in subsection 5 and NRS
17 391.323, the Department of Education, the Board of the Public
18 Employees' Benefits Program and the Commission on Professional
19 Standards in Education are subject to the provisions of this chapter
20 for the purpose of adopting regulations but not with respect to any
21 contested case.

22 3. The special provisions of:

23 (a) Chapter 612 of NRS for the adoption of an emergency
24 regulation or the distribution of regulations by and the judicial
25 review of decisions of the Employment Security Division of the
26 Department of Employment, Training and Rehabilitation;

27 (b) Chapters 616A to 617, inclusive, of NRS for the
28 determination of contested claims;

29 (c) *Chapter 233 of NRS for the judicial review of decisions of*
30 *the Nevada Equal Rights Commission concerning an unlawful*
31 *discriminatory practice in housing;*

32 (d) Chapter 91 of NRS for the judicial review of decisions of the
33 Administrator of the Securities Division of the Office of the
34 Secretary of State; and

35 ~~(d)~~ (e) NRS 90.800 for the use of summary orders in
36 contested cases,

37 ↪ prevail over the general provisions of this chapter.

38 4. The provisions of NRS 233B.122, 233B.124, 233B.125 and
39 233B.126 do not apply to the Department of Health and Human
40 Services in the adjudication of contested cases involving the
41 issuance of letters of approval for health facilities and agencies.

42 5. The provisions of this chapter do not apply to:

43 (a) Any order for immediate action, including, but not limited
44 to, quarantine and the treatment or cleansing of infected or infested
45 animals, objects or premises, made under the authority of the State



1 Board of Agriculture, the State Board of Health, or any other agency
2 of this State in the discharge of a responsibility for the preservation
3 of human or animal health or for insect or pest control;

4 (b) An extraordinary regulation of the State Board of Pharmacy
5 adopted pursuant to NRS 453.2184;

6 (c) A regulation adopted by the State Board of Education
7 pursuant to NRS 388.255 or 394.1694;

8 (d) The judicial review of decisions of the Public Utilities
9 Commission of Nevada;

10 (e) The adoption, amendment or repeal of policies by the
11 Rehabilitation Division of the Department of Employment, Training
12 and Rehabilitation pursuant to NRS 426.561 or 615.178;

13 (f) The adoption or amendment of a rule or regulation to be
14 included in the State Plan for Services for Victims of Crime by the
15 Department of Health and Human Services pursuant to
16 NRS 217.130;

17 (g) The adoption, amendment or repeal of rules governing the
18 conduct of contests and exhibitions of unarmed combat by the
19 Nevada Athletic Commission pursuant to NRS 467.075;

20 (h) The adoption, amendment or repeal of standards of content
21 and performance for courses of study in public schools by the
22 Council to Establish Academic Standards for Public Schools and the
23 State Board of Education pursuant to NRS 389.520;

24 (i) The adoption, amendment or repeal of the statewide plan to
25 allocate money from the Fund for a Resilient Nevada created by
26 NRS 433.732 established by the Department of Health and Human
27 Services pursuant to paragraph (b) of subsection 1 of NRS 433.734;
28 or

29 (j) The adoption or amendment of a data request by the
30 Commissioner of Insurance pursuant to NRS 687B.404.

31 6. The State Board of Parole Commissioners is subject to the
32 provisions of this chapter for the purpose of adopting regulations but
33 not with respect to any contested case.

34 7. The Department of Corrections is subject to the provisions
35 of this chapter for the purpose of adopting regulations relating to
36 fiscal policy, correspondence with inmates and visitation with
37 inmates of the Department of Corrections.

38 **Sec. 29.** Chapter 118 of NRS is hereby amended by adding
39 thereto the provisions set forth as sections 30 to 33, inclusive, of this
40 act.

41 **Sec. 30.** *“Aggrieved person” means any person who:*

42 *1. Claims to have been injured by an unlawful discriminatory*
43 *practice in housing; or*

44 *2. Believes that he or she will be injured by an unlawful*
45 *discriminatory practice in housing that is about to occur.*



1 **Sec. 31. “Unlawful discriminatory practice in housing”**
2 *means a practice prohibited by NRS 118.100 and sections 32 and*
3 *33 of this act.*

4 **Sec. 32. 1. Except as otherwise provided in this section, it is**
5 *an unlawful discriminatory practice in housing for any person to:*

6 *(a) Refuse to rent or lease or refuse to negotiate for the rental*
7 *or lease of, or otherwise make unavailable, a dwelling to an*
8 *applicant because of any arrest record if the applicant has not*
9 *been prosecuted in relation to any such arrest;*

10 *(b) Make, print or publish, or cause to be made, printed or*
11 *published, any notice, statement or advertisement with respect to*
12 *the rental or lease of a dwelling that indicates any preference,*
13 *limitation or discrimination, or intention to make any preference,*
14 *limitation or discrimination, on the basis of an applicant’s arrest*
15 *record in violation of paragraph (a); or*

16 *(c) Evict a tenant on the basis of an arrest record.*

17 **2. A person who is subject to the provisions of this section**
18 *shall provide to each applicant for the rental or lease of a dwelling*
19 *information on:*

20 *(a) The provisions of this section and NRS 118.110 and*
21 *118.120;*

22 *(b) How the applicant may appeal a denial for a rental or lease*
23 *of a dwelling in public housing to a housing authority; and*

24 *(c) How the applicant may file a complaint with the*
25 *Commission pursuant to NRS 233.160, if the applicant believes*
26 *that his or her application was denied on the basis of an unlawful*
27 *discriminatory practice in housing.*

28 **3. The provisions of this section:**

29 *(a) Except as otherwise provided in paragraph (b), apply to the*
30 *rental or lease, including, without limitation, a week-to-week*
31 *tenancy, of any dwelling that is owned by a natural person and*
32 *contains five or more dwelling units.*

33 *(b) Do not apply to any action taken by a person:*

34 *(1) Pursuant to any federal or state law or regulation that*
35 *requires the person to inquire into or conduct a background check*
36 *to determine the arrest record of an applicant and exclude certain*
37 *applicants based on certain types of criminal history, including,*
38 *without limitation, the provisions of 42 U.S.C. § 13663, 24 C.F.R.*
39 *§ 982.553 and NRS 315.031.*

40 *(2) Who makes available for rent a dwelling for tenancy on*
41 *a week-to-week basis to determine whether an applicant has any*
42 *outstanding felony warrants pending against him or her.*

43 **4. As used in this section:**

44 **(a) “Applicant” means a person who:**



1 (1) *Seeks information about, visits or applies to rent or*
2 *lease a dwelling;*

3 (2) *Applies for a housing rental assistance program,*
4 *including, without limitation, the Housing Choice Voucher*
5 *Program pursuant to section 8 of the United States Housing Act of*
6 *1937, 42 U.S.C. § 1437f; or*

7 (3) *Seeks to be added to an existing lease for a dwelling.*

8 (b) *“Arrest record” means any information indicating that a*
9 *person has been apprehended, detained, taken into custody, held*
10 *for investigation or restrained by a law enforcement department or*
11 *military authority due to an accusation or suspicion that the*
12 *person committed a crime. The term includes pending criminal*
13 *charges where an accusation has not resulted in a final judgment,*
14 *acquittal, conviction, plea, dismissal or withdrawal.*

15 (c) *“Background check” means any report regarding the*
16 *arrest record of a person intended to obtain the person’s record of*
17 *criminal history.*

18 (d) *“Dwelling”:*

19 (1) *Except as otherwise provided in subparagraph (2),*
20 *means:*

21 (I) *Public housing;*

22 (II) *Any housing that is rented or leased to a tenant*
23 *pursuant to a contract with a housing authority; or*

24 (III) *Any housing which accepts rental payments of*
25 *vouchers from a federal, state or local housing voucher program.*

26 (2) *Does not include:*

27 (I) *A manufactured home; or*

28 (II) *A single-family house owned by a natural person or*
29 *any other housing that is owned by a natural person and has four*
30 *or fewer dwelling units.*

31 (e) *“Dwelling unit” means a building or a portion of a*
32 *building planned, designed or used as a residence for one family*
33 *only, living independently of other families or persons, and having*
34 *its own bathroom and housekeeping facilities included in the unit.*

35 (f) *“Housing authority” has the meaning ascribed to it in*
36 *NRS 315.021.*

37 (g) *“Public housing” has the meaning ascribed to it in*
38 *NRS 315.021.*

39 **Sec. 33. 1. It is an unlawful discriminatory practice in**
40 **housing for any person to:**

41 (a) *Require a guarantor on a contract to rent or lease a*
42 *dwelling to provide proof of income in an amount greater than two*
43 *times the monthly rent or lease;*

44 (b) *Refuse to rent or lease or refuse to negotiate for the rental*
45 *or lease of, or otherwise make unavailable, a dwelling to an*



1 *applicant because a guarantor has not provided proof of income in*
2 *an amount greater than two times the monthly rent or lease; or*

3 (c) *Make, print or publish, or cause to be made, printed or*
4 *published, any notice, statement or advertisement with respect to*
5 *a rental or lease of a dwelling that indicates any requirement for*
6 *a guarantor on a contract to rent or lease a dwelling to provide*
7 *proof of income in an amount greater than two times the monthly*
8 *rent or lease.*

9 2. *A person who is subject to the provisions of this section*
10 *shall provide to each applicant for the rental or lease of a dwelling*
11 *information on:*

12 (a) *The provisions of this section and NRS 118.110 and*
13 *118.120;*

14 (b) *How the applicant may appeal a denial for a rental or lease*
15 *of a dwelling in public housing to a housing authority; and*

16 (c) *How the applicant may file a complaint with the*
17 *Commission pursuant to NRS 233.160, if the applicant believes*
18 *that his or her application has been denied on the basis of an*
19 *unlawful discriminatory practice in housing.*

20 3. *As used in this section:*

21 (a) *“Guarantor” means a person who cosigns on a contract to*
22 *rent or lease a dwelling or dwelling unit.*

23 (b) *“Proof of income” means documentation of the amount of*
24 *money a person earns or receives from any source, including,*
25 *without limitation, a pay stub, tax return, letter of employment,*
26 *unemployment documentation, pension statement, social security*
27 *award letter and workers’ compensation or disability insurance*
28 *statement.*

29 **Sec. 34.** NRS 118.020 is hereby amended to read as follows:

30 118.020 1. It is hereby declared to be the public policy of the
31 State of Nevada that all people in the State have equal opportunity
32 to inherit, purchase, lease, rent, sell, hold and convey real property
33 without discrimination, distinction or restriction because of race,
34 ~~religious creed,~~ **religion**, color, national origin, disability, sexual
35 orientation, gender identity or expression, ~~ancestry,~~ familial status
36 or sex.

37 2. Nothing in ~~this chapter~~ **NRS 118.010 to 118.120,**
38 **inclusive, and sections 30 to 33, inclusive, of this act** shall be
39 deemed to render enforceable a conveyance or other contract made
40 by a person who lacks the capacity to contract.

41 **Sec. 35.** NRS 118.030 is hereby amended to read as follows:

42 118.030 As used in NRS 118.010 to 118.120, inclusive, **and**
43 **sections 30 to 33, inclusive, of this act,** unless the context otherwise
44 requires, the words and terms defined in NRS 118.040 to 118.093,



1 inclusive, *and sections 30 and 31 of this act* have the meanings
2 ascribed to them in those sections.

3 **Sec. 36.** NRS 118.045 is hereby amended to read as follows:

4 118.045 1. "Disability" means, with respect to a person:

5 ~~[1.]~~ (a) A physical or mental impairment that substantially
6 limits one or more of the major life activities of the person;

7 ~~[2.]~~ (b) A record of such an impairment; or

8 ~~[3.]~~ (c) Being regarded as having such an impairment.

9 2. *The term does not include any current illegal use of or*
10 *addiction to a controlled substance, as defined in 21 U.S.C.*
11 *§ 802(6).*

12 **Sec. 37.** NRS 118.060 is hereby amended to read as follows:

13 118.060 ~~[1.]~~ "Dwelling" means any building, structure or
14 portion thereof which is occupied as, or designed or intended for
15 occupancy as, a residence by one or more families, and any vacant
16 land which is offered for sale or lease for the construction or
17 location thereon of any such building, structure or portion thereof.

18 ~~[2.]—"Dwelling" does not include:~~

19 ~~—(a) A single family house sold or rented by an owner if:~~

20 ~~—(1) The owner does not own more than three single family~~
21 ~~houses at any one time or the owner does not own any interest in,~~
22 ~~nor is there owned or reserved on his or her behalf, under any~~
23 ~~express or voluntary agreement, title to or any right to all or a~~
24 ~~portion of the proceeds from the sale or rental of, more than three~~
25 ~~single family houses at any one time; and~~

26 ~~—(2) The house was sold or rented without the use in any~~
27 ~~manner of the sales or rental facilities or the sales or rental services~~
28 ~~of any real estate broker, real estate broker salesperson or real estate~~
29 ~~salesperson licensed pursuant to chapter 645 of NRS.~~

30 ~~—(b) Rooms or units in dwellings containing living quarters~~
31 ~~occupied or intended to be occupied by not more than four families~~
32 ~~living independently of each other if the owner actually maintains~~
33 ~~and occupies one of the living quarters as his or her residence and~~
34 ~~the owner has not within the preceding 12 month period~~
35 ~~participated:~~

36 ~~—(1) As the principal in three or more transactions involving~~
37 ~~the sale or rental of any dwelling or any interest therein; or~~

38 ~~—(2) As an agent, otherwise than in the sale of his or her own~~
39 ~~personal residence in providing sales or rental facilities or sales or~~
40 ~~rental services in two or more transactions involving the sale or~~
41 ~~rental of any dwelling or any interest therein.~~

42 ~~—3. The sale of a single family house by an owner not residing~~
43 ~~in that house at the time of the sale or who was not the most recent~~
44 ~~resident of that house before the sale does not bring the house within~~



~~the definition of “dwelling” unless there is more than one such sale within any 24 month period.]~~

Sec. 38. NRS 118.080 is hereby amended to read as follows:

118.080 “Person” includes ~~the~~:

1. One or more natural persons, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint stock companies, trustees, trustees in cases under Title 11 of the United States Code, receivers or fiduciaries;

2. The State of Nevada ; and ~~all~~

3. All political subdivisions and agencies ~~thereof.~~ of the State.

Sec. 39. NRS 118.100 is hereby amended to read as follows:

118.100 ~~A~~

1. Except as otherwise provided in subsections 4 and 5, a person shall not, because of race, ~~religious creed,~~ religion, color, national origin, ~~disability,~~ sexual orientation, gender identity or expression, ~~ancestry,~~ familial status , ~~or~~ sex ~~:~~ or disability, including, without limitation, the disability of a buyer or renter or any person who may reside in a dwelling after it is sold, rented or made available, or because the buyer or renter is associated with a person who is, or is perceived to be, a member of any class of persons protected by the provisions of NRS 118.010 to 118.120, inclusive, and sections 30 to 33, inclusive, of this act:

~~1.] (a)~~ Refuse to sell or rent or refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person.

~~2.] (b)~~ Discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling, including the amount of breakage or brokerage fees, deposits or other undue penalties, or in the provision of services or facilities in connection therewith.

~~3.] (c)~~ Make, print or publish, or cause to be made, printed or published, any notice, statement or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation or discrimination, or an intention to make any preference, limitation or discrimination. As used in this ~~subsection,~~ paragraph, “dwelling” includes a house, room or unit described in ~~subsection 2 or 3 of NRS 118.060.]~~ paragraphs (a) and (b) of subsection 5.

~~4.] (d)~~ Represent to any person because of race, ~~religious creed,~~ religion, color, national origin, disability, sexual orientation, gender identity or expression, ~~ancestry,~~ familial status or sex that any dwelling is not available for inspection, sale or rental when the dwelling is in fact so available.

~~5.] (e)~~ For profit, induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person of a particular



1 race, ~~religious creed,~~ *religion*, color, national origin, disability,
2 sexual orientation, gender identity or expression, ~~ancestry,~~ familial
3 status or sex.

4 ~~{6.—Coerce,}~~

5 *(f) Deny any person access to or membership or participation*
6 *in any multiple-listing service, real estate brokers' organization or*
7 *other service, organization or facility relating to the business of*
8 *selling or renting dwellings, or discriminate against any person in*
9 *the terms or conditions of such access, membership or*
10 *participation.*

11 *2. A person shall not discriminate against any person in*
12 *making available a residential real estate-related transaction, or in*
13 *the terms or conditions of such a transaction.*

14 *3. A person shall not coerce,* intimidate, threaten or interfere
15 with any person in the exercise or enjoyment of, or on account of
16 that person having *exercised or enjoyed or* aided or encouraged any
17 other person in the exercise or enjoyment of, any right granted or
18 protected in ~~{this chapter.}~~ *NRS 118.010 to 118.120, inclusive, and*
19 *sections 30 to 33, inclusive, of this act.*

20 *4. The provisions of this section:*

21 *(a) Do not prohibit a person engaged in the business of*
22 *furnishing appraisals of real property from considering factors*
23 *other than race, religion, color, national origin, sexual*
24 *orientation, gender identity or expression, familial status, sex or*
25 *disability in performing an appraisal.*

26 *(b) Do not prohibit a religious organization, association or*
27 *society, or a non-profit institution or organization operated,*
28 *supervised or controlled by or in conjunction with a religious*
29 *organization, association or society, from limiting the sale, rental*
30 *or occupancy of any dwelling which it owns or operates for other*
31 *than a commercial purpose to persons of the same religion or*
32 *from giving preferences to such persons, unless membership in the*
33 *religion is restricted on account of race, color or national origin.*

34 *(c) Do not prohibit a private club which is not open to the*
35 *public and which, as an incident to its primary purposes, provides*
36 *lodging that it owns or operates for other than a commercial*
37 *purpose from limiting the rental or occupancy of those lodgings to*
38 *its members or from giving preference to its members.*

39 *(d) With regard to the prohibition against discrimination based*
40 *on familial status, do not apply to housing for older persons.*

41 *5. Except as otherwise provided in paragraph (c) or (f) of*
42 *subsection 1 or subsection 2, 3 or 6, the provisions of this section*
43 *do not apply to:*

44 *(a) A single-family house sold or rented by a private individual*
45 *owner if:*



1 (1) *The private individual owner owns four or fewer single-*
2 *family houses;*

3 (2) *The private individual owner does not own any interest*
4 *in, and there is not owned or reserved on his or her behalf, under*
5 *any express or voluntary agreement, title to or any right to any*
6 *portion of the proceeds from the sale or rental of more than three*
7 *single-family houses; and*

8 (3) *The house is sold or rented without:*

9 (I) *The use in any manner of the sales or rental facilities*
10 *or services of any real estate broker, agent or salesperson licensed*
11 *under chapter 645 of NRS, other person in the business of selling*
12 *or renting dwellings or the employee or agent of such a real estate*
13 *broker, agent or salesperson or other person; and*

14 (II) *The publication, posting or mailing of any*
15 *advertisement or written notice in violation of paragraph (c) of*
16 *subsection 1.*

17 (b) *Rooms or units in dwellings containing living quarters*
18 *occupied or intended to be occupied by not more than four*
19 *families living independently of each other, if the owner maintains*
20 *and occupies one of the living quarters as his or her residence.*

21 6. *In the event of the sale of a single-family house by a*
22 *private individual owner who does not reside in the house at the*
23 *time of the sale or who was not the most recent resident of the*
24 *house before the sale, the exemption from the provisions of this*
25 *section set forth in paragraph (a) of subsection 5 applies only with*
26 *respect to one such sale within any 24-month period.*

27 7. *The provisions of this section do not prohibit the use by*
28 *any person of such attorneys, escrow agents, commissioned*
29 *abstracters, title companies or other professional assistance as*
30 *necessary to perfect or transfer title to real property.*

31 8. *For the purposes of this section, a person shall be deemed*
32 *to be in the business of selling or renting dwellings if the person:*

33 (a) *Has, within the immediately preceding 12 months,*
34 *participated as a principal in three or more transactions involving*
35 *the sale or rental of any dwelling or any interest in a dwelling;*

36 (b) *Has, within the immediately preceding 12 months,*
37 *participated as an agent, other than in the sale of his or her own*
38 *residence, in providing sales or rental facilities or services in two*
39 *or more transactions involving the sale or rental of any dwelling*
40 *or any interest in a dwelling; or*

41 (c) *Is the owner of any dwelling occupied by, or designed or*
42 *intended for occupancy by, five or more families.*

43 9. *As used in this section, unless the context otherwise*
44 *requires:*

45 (a) *“Housing for older persons” means housing that is:*



1 (1) *Provided under any state or federal program which the*
2 *United States Secretary of Housing and Urban Development*
3 *determines is specifically designed and operated to assist elderly*
4 *persons;*

5 (2) *Intended for and occupied solely by persons who are 62*
6 *years of age or older; or*

7 (3) *Intended and operated for occupancy by persons who*
8 *are 55 years of age or older and:*

9 (I) *At least 80 percent of the occupied units are occupied*
10 *by at least one person who is 55 years of age or older; and*

11 (II) *For which there is compliance with applicable rules*
12 *for verification of occupancy.*

13 (b) *“Residential real estate-related transaction” means:*

14 (1) *The making or purchasing of loans or providing other*
15 *financial assistance for purchasing, constructing, improving,*
16 *repairing or maintaining a dwelling;*

17 (2) *The making or purchasing of loans or providing other*
18 *financial assistance secured by residential real estate; or*

19 (3) *The selling, brokering or appraising of residential real*
20 *estate.*

21 **Sec. 40.** NRS 118.101 is hereby amended to read as follows:

22 118.101 1. A person may not refuse to ~~§~~

23 ~~—(a) Authorize~~ *authorize* a person with a disability to make
24 reasonable modifications to a dwelling which he or she occupies or
25 will occupy if:

26 ~~[(1)]~~ (a) The person with the disability pays for the
27 modifications; and

28 ~~[(2)]~~ (b) The modifications ~~are~~ *may be* necessary to
29 ~~ensure that~~ *afford* the person with the disability ~~may use and~~
30 ~~enjoy~~ *the full enjoyment of* the dwelling. ~~§; or~~

31 ~~—(b) Make reasonable accommodations in rules, policies,~~
32 ~~practices or services if those accommodations are necessary to~~
33 ~~ensure that the person with the disability may use and enjoy the~~
34 ~~dwelling.]~~

35 2. A landlord may, as a condition for the authorization of such
36 a modification, reasonably require the person who requests the
37 authorization, upon the termination of his or her occupancy, to
38 restore the *interior of the* dwelling to the condition that existed
39 before the modification, reasonable wear and tear excepted.

40 3. Except as otherwise provided in subsection 4, a landlord
41 may not increase the amount of a security deposit the landlord
42 customarily requires a person to deposit because that person has
43 requested authorization to modify a dwelling pursuant to
44 subsection 1.



1 4. If a person requests authorization to modify a dwelling
2 pursuant to subsection 1, the landlord may require that person to
3 deposit an additional security deposit in addition to the amount the
4 landlord usually requires if the additional security deposit:

5 (a) Is necessary to ensure the restoration of the dwelling
6 pursuant to subsection 2;

7 (b) Does not exceed the actual cost of the restoration; and

8 (c) Is *collected over a reasonable period and* deposited by the
9 landlord in an interest-bearing account. Any interest earned on the
10 additional amount must be paid to the person who requested
11 the authorization.

12 5. *A person may not refuse to make reasonable*
13 *accommodations in rules, policies, practices or services which may*
14 *be necessary to afford a person with a disability equal opportunity*
15 *to use and enjoy a dwelling.*

16 6. As used in this section, "security deposit" has the meaning
17 ascribed to it in NRS 118A.240.

18 **Sec. 41.** NRS 118.103 is hereby amended to read as follows:

19 118.103 1. A covered multifamily dwelling which is
20 designed and constructed for occupancy on or after ~~March 13,~~
21 ~~1991,] October 1, 2025,~~ must be constructed in such a manner that
22 the *primary entrance to the* dwelling ~~[contains at least one entrance~~
23 ~~which]~~ is accessible to a person with a disability unless it is
24 impracticable to so design or construct the dwelling because of the
25 terrain or unusual characteristics of the site upon which it is
26 constructed.

27 2. ~~[A] Such a~~ covered multifamily dwelling ~~[which contains at~~
28 ~~least one entrance which is accessible to a person with a disability]~~
29 must be constructed in such a manner that:

30 (a) The ~~[common]~~ areas of the dwelling *intended for public use*
31 *or common use* are readily accessible to and usable by a person
32 with a disability;

33 (b) The doors of the dwelling are sufficiently wide to allow a
34 person with a disability to enter and exit in a wheelchair;

35 (c) The units of the dwelling contain:

36 (1) An accessible route into and through the dwelling;

37 (2) Reinforcements in the bathroom walls so that bars for use
38 by a person with a disability may be installed therein; and

39 (3) Kitchens and bathrooms *which are usable by a person in*
40 *a wheelchair and* in which *such* a person ~~[in a wheelchair]~~ may
41 maneuver; and

42 (d) The light switches, electrical outlets, thermostats or any
43 other environmental controls in the units of the dwelling are placed
44 in such a manner that they are accessible to a person in a
45 wheelchair.



1 3. As used in this section, “covered multifamily dwelling”
2 means:

3 (a) A building which consists of four or more units and contains
4 at least one elevator; ~~for~~ *and*

5 (b) The units located on the ground floor of any other building
6 which consists of four or more units.

7 **Sec. 42.** NRS 118.105 is hereby amended to read as follows:

8 118.105 1. ~~[Except as otherwise provided in subsection 2, a]~~
9 *A landlord ~~[may]~~ must not refuse to rent a dwelling subject to the*
10 *provisions of chapter 118A of NRS to a person with a disability*
11 *solely because ~~[an]~~ a service animal which affords the person an*
12 *equal opportunity to use and enjoy the dwelling will be residing*
13 *with the prospective tenant in the dwelling . ~~[if the animal assists,~~*
14 *supports or provides service to the person with a disability.]*

15 2. ~~[A landlord may require proof that an animal assists,~~
16 ~~supports or provides service to the person with a disability. This~~
17 ~~requirement may be satisfied, without limitation, by a statement~~
18 ~~from a provider of health care that the animal performs a function~~
19 ~~that ameliorates the effects of the person’s disability.]~~ *As used in*
20 *this section, “service animal” has the meaning ascribed to it in*
21 *NRS 426.097.*

22 **Sec. 43.** NRS 118.110 is hereby amended to read as follows:

23 118.110 Any aggrieved person ~~[who claims to have been~~
24 ~~injured by a discriminatory housing practice or who believes that he~~
25 ~~or she will be injured by such a practice that is about to occur]~~ may
26 file a complaint with the Commission in the manner prescribed in
27 NRS 233.160 ~~[]~~ *and avail himself or herself of the rights and*
28 *remedies set forth in NRS 233.160 and sections 12, 13 and 14 of*
29 *this act.*

30 **Sec. 44.** NRS 118.120 is hereby amended to read as follows:

31 118.120 ~~[Any]~~

32 1. *Except as otherwise provided in subsection 2, an aggrieved*
33 *person may commence an action in any district court in this state to*
34 *enforce the provisions of NRS 118.100, 207.300, 207.310, 645.321*
35 *or 645C.480 or section 32 or 33 of this act not ~~[less]~~ more than 1*
36 *year after the date of the occurrence or termination of an alleged*
37 *violation of any of those provisions. If the court determines that the*
38 *provisions of any of those sections have been violated by the*
39 *defendant, and that the plaintiff has been injured thereby, it may*
40 *enjoin the defendant from continued violation or may take such*
41 *other affirmative action as may be appropriate, and, in the case of a*
42 *prevailing plaintiff, may award to the plaintiff actual damages,*
43 *punitive damages, court costs and a reasonable attorney’s fee.*

44 2. *The limitation on commencing an action set forth in*
45 *subsection 1 is tolled by the filing of a complaint with the*



1 *Commission and during the pendency of the complaint before the*
2 *Commission.*

3 **Sec. 45.** NRS 118.120 is hereby amended to read as follows:

4 118.120 1. Except as otherwise provided in subsection 2, an
5 aggrieved person may commence an action in any district court in
6 this state to enforce the provisions of NRS 118.100, 207.300,
7 207.310, 645.321 or 645C.480 or section 32 or 33 of this act not
8 more than 1 year after the date of the occurrence or termination of
9 an alleged violation of any of those provisions. If the court
10 determines that the provisions of any of those sections have been
11 violated by the defendant, and that the plaintiff has been injured
12 thereby, it may enjoin the defendant from continued violation or
13 may take such other affirmative action as may be appropriate, ~~and,~~
14 ~~in the case of a prevailing plaintiff, may~~ *including, without*
15 *limitation, an award [to the plaintiff] of actual damages [-, punitive*
16 ~~damages, court costs and a]~~ *and such civil penalties as provided in*
17 *section 12 of this act. The court may award the prevailing party*
18 *reasonable attorney's [fee.] fees and costs, except that no such fees*
19 *or costs may be awarded against the State of Nevada unless, upon*
20 *a motion by a party, the court determines that the State of Nevada*
21 *acted in violation of Rule 11 of the Nevada Rules of Civil*
22 *Procedure.*

23 2. The limitation on commencing an action set forth in
24 subsection 1 is tolled by the filing of a complaint with the
25 Commission and during the pendency of the complaint before the
26 Commission.

27 3. *An aggrieved person may commence a civil action under*
28 *this section regardless of whether the person has filed a complaint*
29 *under NRS 118.110, unless the person has entered into a*
30 *conciliation agreement concerning the complaint or the*
31 *Commission has commenced a hearing pursuant to section 12 of*
32 *this act with respect to the matters alleged in the complaint.*

33 **Sec. 46.** Chapter 118A of NRS is hereby amended by adding
34 thereto a new section to read as follows:

35 1. *If a rental agreement provides for payment by the tenant to*
36 *the landlord for any utility service, the landlord shall provide the*
37 *tenant with a statement containing:*

38 (a) *The actual charges incurred by the landlord for the utility*
39 *service for the dwelling unit of the applicable tenant; and*

40 (b) *The portion of the utility service charges for the utility*
41 *service that are allocated to the tenant.*

42 2. *As used in this section, "utility service" includes, without*
43 *limitation, electricity, telephone service, cable or satellite television*
44 *service, gas, water, wastewater removal, solid waste removal or*
45 *Internet service.*



1 **Sec. 47.** 1. This section becomes effective upon passage and
2 approval.

3 2. Sections 1 to 11, inclusive, 15, 16, 18 to 21, inclusive, 26, 28
4 to 42, inclusive, 44 and 46 of this act become effective:

5 (a) Upon passage and approval for the purpose of adopting any
6 regulations and performing any other preparatory administrative
7 tasks that are necessary to carry out the provisions of this act; and

8 (b) On October 1, 2025, for all other purposes.

9 3. Sections 12, 13, 14, 17, 22 to 25, inclusive, 27, 43 and 45 of
10 this act become effective on the date the Governor declares that the
11 Federal Government has determined that certain provisions of NRS
12 provide rights and remedies for alleged discriminatory housing
13 practices substantially equivalent to federal law.



