



## Nevada Restaurant Association Legislative Update 2017

The Legislative session is over! The business community and our members were united together to support businesses rights. This session was largely about defeating continuous efforts to roll back the reforms we were able to achieve last session and defeating the numerous pieces of legislation this session that sought to implement the national progressive agenda regarding employees "rights".

### Industry Bills

Result	Bill	Summary
Success	AB 6	Revises provisions governing exemptions from the requirement to obtain a state business registration
Success	AB 20	Revises provisions relating to services to assist persons with disabilities in obtaining employment
Success	AB 54	Revises provisions relating to reports of certain accidents or motor vehicle crashes by employers
Success	AB 83	Makes various changes relating to insurance
Success	AB 94	Repeals the prospective expiration of the NV Grow Program.
Success	AB 113	Would require certain employers to provide a reasonable time and place for an employee who is a nursing mother to express breast milk. The bill would also exempt certain small employers with 50 employees or fewer from this requirement, based on an undue hardship. NvRA initially opposed this bill but was able to work with the bill sponsors to mirror the current federal language. With this change, NvRA was in support of the bill.
Success	AB 135	Revises provisions relating to prohibited acts concerning the use of marijuana and the operation of a vehicle or vessel.
Success	AB 175	Increases minimum wage to \$15 using incremental increases of \$1.25 per year. NvRA and members testified in opposition. Letters were sent in opposition. Ultimately, the bill passed in both the Assembly and the Senate on party line votes but was vetoed by the Governor.

Dead	AB 344	Requires a retailer to collect fees for customers using plastic bags. NvRA opposed this bill and there was no action on the bill so it missed the deadline for passage.
Success	AB 354	Revises provisions relating to employment practices
Dead	AB 394	Would have required a private employer that provides sick leave benefits to allow an employee to use his or her accrued sick leave for an absence due to an illness, injury, medical appointment, or other authorized medical need of a member of the employee's immediate family. NvRA opposed this bill. No vote was taken in the Assembly and the bill missed the deadline for passage.
Dead	AJR1	Proposes to amend the Nevada Constitution to limit certain changes to the commerce tax unless the change is approved by a majority of the voters voting on the question.
Success	SB 41	Revises various provisions relating to business entities
Success	SB 91	Revises provisions relating to drug donation programs.
Challenged	SB 106	Revises provisions also proposed an increase to the <b><u>minimum wage</u></b> of \$15. NvRA and the business coalition along with restaurant owners and operators testified in opposition. This bill, too, passed both houses on party line votes but was vetoed by the Governor.
Success	SB 130	Revises provisions relating to brew pubs
Dead	SB 157	This was NvRA's proposed bill to change the <b><u>24 hour rule on overtime</u></b> . The bill did not meet the first legislative deadline so no further action was anticipated. However, during negotiations on ERA funding, the Governor proposed a small increase in minimum wage if this overtime provision was included but ultimately, the compromise was rejected and the bill failed.
Dead	SB 196	Sick pay requirement. As introduced would have required employers to provide sick leave for employees. The initial bill applied to employers of 25 or more employees. It was amended to increase the number to 50 and added a requirement that the employee would have to provide some documentation so that it could not be used as just vacation time. It was ultimately amended to decrease the number of employees to 25 again. The bill passed both houses on party line votes but was vetoed by the Governor.

Dead	SB 236	Would have allowed local governmental agencies to issue permits to allow the use of <b><u>marijuana for certain special events</u></b> . The bill passed in the Senate but was not considered in the Assembly and missed the deadline for passage. NvRA opposed this bill.
Match Federal Bill No Impact	SB 253	Establishes the Nevada Pregnant Workers' Fairness Act to provide protections to female employees and applicants for employment who are affected by a condition of the employee or applicant relating to pregnancy, childbirth or a related medical condition
Success	SB 259	Revises provisions relating to driving under the influence of alcohol or a controlled substance.
Success	SB 384	Known as the <b><u>transparency bill</u></b> would have provided for the confidentiality of certain information in the records and files of public employee retirement systems. NvRA was opposed to this bill. It passed 11-10 in the Senate and 25-14 in the Assembly but was vetoed by the Governor.
Success	SB 397	SB397 significantly increase penalties on businesses for violations of employment discrimination laws. We were able to defeat this bill.
Dead	SB 440	Extends to all counties the requirement employees of establishments where alcoholic beverages are sold to complete certain training.
Success	SJR 6	Is the proposed constitutional amendment regarding minimum wages. During NvRA testimony on the minimum wage bills, we testified that minimum wages could only be raised by constitutional amendment. However, this bill as initially introduced proposed raising the minimum wage from a rate of \$9 with a 75 cent annual increase until it reached \$12.00. The bill was later amended to set the wage beginning at \$9.40 with annual increases of \$1.15 until it reaches \$14. It also adds a provision allowing the legislature to adjust the wages. This resolution passed in the Senate and Assembly on a party line vote. It is not subject to the Governor's veto but will have to be passed again in the 2019 legislative session without change and then go to a vote of the people during the 2020 election cycle. NvRA along with our business coalition adamantly opposed this bill and will consider other action during the interim.

## **Dead Bills Relating to General Business**

- AB 3            Makes various changes relating to the administration of workers' compensation claims
- AB 15           Revises provisions governing the penalties for insurance fraud
- AB 86           Lowers the minimum age at which a person is authorized to gamble and engage in certain other related activities.
- AB 149          Revises provisions relating to no compete provisions in employment contracts
- AB 266          Provides for a deduction from certain taxes wages paid by an employer under a qualifying paid family medical leave policy.
- AB 281          Revises provisions governing the filing of a commerce tax return
- AB 287          Revises provisions governing the issuance of gift certificates
- SB 52           Revises provisions relating to unemployment compensation
- SB 82           Revises provisions relating to employment and trade secrets
- SB 85           Exempts certain property from taxation.
- SB 99           Revises provisions relating to taxation
- Sb 374          Revises provisions relating to energy.