

SENATE BILL NO. 207—COMMITTEE ON COMMERCE AND LABOR

MARCH 11, 2009

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to unlawful discrimination in places of public accommodation. (BDR 54-738)

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

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to public accommodations; revising provisions relating to unlawful discrimination based on sexual orientation in places of public accommodation; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, Nevada has declared as its public policy the right of all
2 people to have access to places of public accommodation without discrimination
3 based on race, religious creed, color, age, sex, disability, sexual orientation,
4 national origin or ancestry. (NRS 233.010) Existing law makes it unlawful for
5 places of public accommodation to discriminate against a person based on race,
6 color, religion, national origin or disability. (NRS 651.070) Section 2 of this bill
7 provides the same protection from discrimination based on sexual orientation in
8 places of public accommodation.
9 Existing law authorizes the Nevada Equal Rights Commission to investigate
10 cases of discrimination in places of public accommodation and authorizes a person
11 who believes he has been discriminated against based on race, color, religion,
12 national origin or disability to file a complaint with the Commission. (NRS
13 233.150, 651.110) Section 3 of this bill authorizes a person who believes he has
14 been discriminated against based on sexual orientation to file a complaint with the
15 Commission.

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

1 Section 1. NRS 651.050 is hereby amended to read as follows:
2 651.050 As used in NRS 651.050 to 651.110, inclusive, unless
3 the context otherwise requires:



* S B 2 0 7 *

- 1 1. "Disability" means, with respect to a person:
2 (a) A physical or mental impairment that substantially limits one
3 or more of the major life activities of the person;
4 (b) A record of such an impairment; or
5 (c) Being regarded as having such an impairment.
6 2. "Place of public accommodation" means:
7 (a) Any inn, hotel, motel or other establishment which provides
8 lodging to transient guests, except an establishment located within a
9 building which contains not more than five rooms for rent or hire
10 and which is actually occupied by the proprietor of the
11 establishment as his residence;
12 (b) Any restaurant, bar, cafeteria, lunchroom, lunch counter,
13 soda fountain, casino or any other facility where food or spirituous
14 or malt liquors are sold, including any such facility located on the
15 premises of any retail establishment;
16 (c) Any gasoline station;
17 (d) Any motion picture house, theater, concert hall, sports arena
18 or other place of exhibition or entertainment;
19 (e) Any auditorium, convention center, lecture hall, stadium or
20 other place of public gathering;
21 (f) Any bakery, grocery store, clothing store, hardware store,
22 shopping center or other sales or rental establishment;
23 (g) Any laundromat, dry cleaner, bank, barber shop, beauty
24 shop, travel service, shoe repair service, funeral parlor, office of an
25 accountant or lawyer, pharmacy, insurance office, office of a
26 provider of health care, hospital or other service establishment;
27 (h) Any terminal, depot or other station used for specified public
28 transportation;
29 (i) Any museum, library, gallery or other place of public display
30 or collection;
31 (j) Any park, zoo, amusement park or other place of recreation;
32 (k) Any nursery, private school or university or other place of
33 education;
34 (l) Any day care center, senior citizen center, homeless shelter,
35 food bank, adoption agency or other social service establishment;
36 (m) Any gymnasium, health spa, bowling alley, golf course or
37 other place of exercise or recreation;
38 (n) Any other establishment or place to which the public is
39 invited or which is intended for public use; and
40 (o) Any establishment physically containing or contained within
41 any of the establishments described in paragraphs (a) to (n),
42 inclusive, which holds itself out as serving patrons of the described
43 establishment.



1 **3. “Sexual orientation” means having or being perceived as**
2 **having an orientation for heterosexuality, homosexuality or**
3 **bisexuality.**

4 **Sec. 2.** NRS 651.070 is hereby amended to read as follows:

5 651.070 All persons are entitled to the full and equal
6 enjoyment of the goods, services, facilities, privileges, advantages
7 and accommodations of any place of public accommodation,
8 without discrimination or segregation on the ground of race, color,
9 religion, national origin, ~~or~~ disability ~~or~~ **sexual orientation.**

10 **Sec. 3.** NRS 651.110 is hereby amended to read as follows:

11 651.110 Any person who believes he has been denied full and
12 equal enjoyment of the goods, services, facilities, privileges,
13 advantages and accommodations of any place of public
14 accommodation because of discrimination or segregation based on
15 race, color, religion, national origin, ~~or~~ disability **or sexual**
16 **orientation** may file a complaint to that effect with the Nevada
17 Equal Rights Commission.

