

CHAPTER.....

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:

Under existing law, Nevada has declared as its public policy the right of all people to have access to places of public accommodation without discrimination based on race, religious creed, color, age, sex, disability, sexual orientation, national origin or ancestry. (NRS 233.010) Existing law makes it unlawful for places of public accommodation to discriminate against a person based on race, color, religion, national origin or disability. (NRS 651.070) **Section 2** of this bill provides the same protection from discrimination based on sexual orientation in places of public accommodation.

Existing law authorizes the Nevada Equal Rights Commission to investigate cases of discrimination in places of public accommodation and authorizes a person who believes he has been discriminated against based on race, color, religion, national origin or disability to file a complaint with the Commission. (NRS 233.150, 651.110) **Section 3** of this bill authorizes a person who believes he has been discriminated against based on sexual orientation to file a complaint with the Commission.

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

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

1. “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.
2. “Place of public accommodation” means:
 - (a) Any inn, hotel, motel or other establishment which provides lodging to transient guests, except an establishment located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor of the establishment as his residence;
 - (b) Any restaurant, bar, cafeteria, lunchroom, lunch counter, soda fountain, casino or any other facility where food or spirituous or malt liquors are sold, including any such facility located on the premises of any retail establishment;



- (c) Any gasoline station;
- (d) Any motion picture house, theater, concert hall, sports arena or other place of exhibition or entertainment;
- (e) Any auditorium, convention center, lecture hall, stadium or other place of public gathering;
- (f) Any bakery, grocery store, clothing store, hardware store, shopping center or other sales or rental establishment;
- (g) Any laundromat, dry cleaner, bank, barber shop, beauty shop, travel service, shoe repair service, funeral parlor, office of an accountant or lawyer, pharmacy, insurance office, office of a provider of health care, hospital or other service establishment;
- (h) Any terminal, depot or other station used for specified public transportation;
- (i) Any museum, library, gallery or other place of public display or collection;
- (j) Any park, zoo, amusement park or other place of recreation;
- (k) Any nursery, private school or university or other place of education;
- (l) Any day care center, senior citizen center, homeless shelter, food bank, adoption agency or other social service establishment;
- (m) Any gymnasium, health spa, bowling alley, golf course or other place of exercise or recreation;
- (n) Any other establishment or place to which the public is invited or which is intended for public use; and
- (o) Any establishment physically containing or contained within any of the establishments described in paragraphs (a) to (n), inclusive, which holds itself out as serving patrons of the described establishment.

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

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

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

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

651.110 Any person who believes he has been denied full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of any place of public accommodation because of discrimination or segregation based on race, color, religion, national origin, ~~or~~ disability *or sexual*



orientation may file a complaint to that effect with the Nevada Equal Rights Commission.

