
ASSEMBLY BILL NO. 152—ASSEMBLYMEN ARAUJO, DIAZ,
THOMPSON; BENITEZ-THOMPSON, CARRILLO, FLORES,
JOINER, MOORE AND NEAL

FEBRUARY 13, 2015

JOINT SPONSORS: SENATORS DENIS; AND WOODHOUSE

Referred to Committee on Health and Human Services

SUMMARY—Enacts certain requirements governing child care facilities. (BDR 38-623)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 2)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

~

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

AN ACT relating to care of children; requiring the State Board of Health to adopt regulations prescribing requirements for meals and snacks provided to children at child care facilities; setting forth certain requirements for child care facilities relating to breastfeeding, physical activity and viewing media; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires a child care facility to be licensed by the State Board of
2 Health or, if the county or city in which the child care facility is located requires
3 child care facilities to be licensed, by such a county or city. If a city or county
4 licenses child care facilities, the city or county is required to adopt standards and
5 regulations governing child care facilities that are at least as stringent as those
6 adopted by the Board. (NRS 432A.131) Federal law establishes the Child and Adult
7 Care Food Program, and federal regulations set forth requirements for the contents
8 of each meal served pursuant to the Program. (42 U.S.C. § 1766; 7 C.F.R. § 226.20)
9 **Section 2** of this bill requires the Board to adopt regulations prescribing
10 requirements for all meals and snacks served to children by child care facilities,
11 including a requirement that all such meals and snacks comply with the minimum
12 requirements established pursuant to the Child and Adult Care Food Program.



13 **Section 3** of this bill requires a child care facility to: (1) provide appropriate,
14 private space where mothers may breastfeed; and (2) limit the amount of time a
15 child may spend viewing media. **Section 3** also: (1) requires certain child care
16 facilities to provide a program of physical activity; and (2) prohibits a child care
17 facility from withholding or requiring physical activity as a form of discipline.

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

1 **Section 1.** Chapter 432A of NRS is hereby amended by
2 adding thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2.** *The Board shall adopt regulations prescribing*
4 *requirements for all meals and snacks provided to children by a*
5 *child care facility. Such regulations must, without limitation:*

6 1. *Require each meal or snack provided to a child by a child*
7 *care facility to:*

8 (a) *Comply with the minimum food components set forth in 7*
9 *C.F.R. § 226.20; and*

10 (b) *Be served in a portion size appropriate for the age of the*
11 *child;*

12 2. *Include specific requirements concerning milk, other dairy*
13 *products and juice; and*

14 3. *Limit the fat and sugar content of all meals and snacks.*

15 **Sec. 3.** 1. *A licensee that operates a child care facility shall*
16 *provide appropriate, private space on the premises of the child*
17 *care facility where a mother may breastfeed.*

18 2. *A licensee that operates a child care facility, other than an*
19 *accommodation facility or a child care institution, shall provide a*
20 *program of physical activity that:*

21 (a) *Ensures that all children receive daily moderate or*
22 *vigorous physical activity; and*

23 (b) *Includes specialized plans for children with special needs*
24 *or who have disabilities.*

25 3. *An employee of a child care facility shall not allow*
26 *children under 2 years of age to view media or allow children to*
27 *view media during snack or meal times, and shall limit the total*
28 *amount of time children are allowed to view media.*

29 4. *An employee of a child care facility shall not withhold or*
30 *require a child to participate in physical activity as a form of*
31 *discipline.*

32 5. *As used in this section:*

33 (a) *“Moderate or vigorous physical activity” means activity*
34 *that significantly uses arms or legs, including, without limitation,*
35 *brisk walking, skipping, bicycling, hiking, dancing, kicking a ball,*



1 *gardening, running, jumping, playing tag, chasing games, soccer,*
2 *basketball, swimming and heavy yard work.*

3 *(b) "View media" includes, without limitation, watch*
4 *television, video tapes and digital video discs, play video games or*
5 *computer games, use a smartphone or handheld device and use*
6 *the Internet.*

7 **Sec. 4.** The provisions of NRS 354.599 do not apply to any
8 additional expenses of a local government that are related to the
9 provisions of this act.

10 **Sec. 5.** This act becomes effective:

11 1. Upon passage and approval for the purpose of adopting any
12 regulations and performing any other preparatory administrative
13 tasks necessary to carry out the provisions of this act; and

14 2. On January 1, 2016, for all other purposes.

