

**THE NINETY-FIFTH DAY**

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CARSON CITY (Thursday), May 9, 2019

Senate called to order at 11:26 a.m.

President Marshall presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Thomas Babu.

In the Name of the Father and of the Son and of the Holy Spirit, Almighty God, here we are again. I ask Your blessing upon our State and the people who live here. Bind us together in mutual respect and help us to find joy in our daily labors. Guide us with wisdom to be instruments of justice, equality and human dignity in our responsibilities.

It is the same place but a new year, with new challenges and even some new faces. We thank You for the wonderful opportunity to serve the people who have placed us here. As we face what can be a daunting responsibility, please grant us a spirit of open-mindedness, kindness and humility. Lift us up when we are down and give us strength and encouragement in times of weakness.

Thank You, Lord, for actually being present with us.

In Your Holy Name, I pray.

AMEN.

Pledge of Allegiance to the Flag.

By previous order of the Senate, the reading of the Journal is dispensed with, and the President and Secretary are authorized to make the necessary corrections and additions.

REPORTS OF COMMITTEE

*Madam President:*

Your Committee on Commerce and Labor, to which was referred Assembly Bill No. 25, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAT SPEARMAN, *Chair*

*Madam President:*

Your Committee on Education, to which was referred Assembly Bill No. 258, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MOISES DENIS, *Chair*

*Madam President:*

Your Committee on Growth and Infrastructure, to which was referred Assembly Bill No. 365, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

YVANNA D. CANCELA, *Chair*

*Madam President:*

Your Committee on Health and Human Services, to which was referred Assembly Bill No. 122, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JULIA RATTI, *Chair*

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, May 8, 2019

*To the Honorable the Senate:*

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bills Nos. 151, 496, 510.

Also, I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Bill No. 298.

Also, I have the honor to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 5.

Also, I have the honor to inform your honorable body that the Assembly on this day concurred in the Senate Amendment No. 655 to Assembly Bill No. 170; Senate Amendment No. 650 to Assembly Bill No. 377.

CAROL AIELLO-SALA  
*Assistant Chief Clerk of the Assembly*

## MOTIONS, RESOLUTIONS AND NOTICES

Senator Cannizzaro moved that Assembly Bill No. 126 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

## INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 151.

Senator Ratti moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

Assembly Bill No. 298.

Senator Ratti moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

Assembly Bill No. 496.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Assembly Bill No. 510.

Senator Ratti moved that the bill be referred to the Committee on Finance.

Motion carried.

## SECOND READING AND AMENDMENT

Assembly Bill No. 28.

Bill read second time and ordered to third reading.

Assembly Bill No. 52.

Bill read second time and ordered to third reading.

Assembly Bill No. 58.

Bill read second time and ordered to third reading.

Assembly Bill No. 59.

Bill read second time and ordered to third reading.

Assembly Bill No. 93.

Bill read second time and ordered to third reading.

Assembly Bill No. 333.

Bill read second time and ordered to third reading.

Assembly Bill No. 457.

Bill read second time.

The following amendment was proposed by the Committee on Commerce and Labor:

Amendment No. 661.

SUMMARY—Revises provisions governing chiropractic physicians and chiropractor's assistants. (BDR 54-933)

AN ACT relating to chiropractic; providing for the performance of dry needling by a chiropractor; revising provisions relating to membership of the Chiropractic Physicians' Board of Nevada; revising provisions governing the application for a license to practice chiropractic; revising the time period in which a qualified applicant for a license to practice chiropractic may practice while waiting to take the Board's examination; revising provisions relating to temporary licenses to practice chiropractic; authorizing the Board to adopt certain regulations concerning the renewal of certain licenses and certificates; revising provisions relating to reinstating a license to practice chiropractic; revising provisions governing disciplinary action by the Board; repealing the definition of gross malpractice; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Chiropractic Physicians' Board of Nevada, consisting of seven members, and prohibits three or more persons who are resident graduates of the same school or college of chiropractic from serving on the Board at the same time. (NRS 634.020) Section ~~1.5~~ 1.5 of this bill removes this prohibition.

Existing law requires an applicant for a license to practice chiropractic, not less than 60 days before the date of the licensing examination, to: (1) file an application for examination with the Secretary of the Board; (2) submit certain evidence relating to his or her qualifications for licensure; and (3) pay the examination application fee. (NRS 634.080, 634.090, 634.100) Sections 2-4 of this bill eliminate the requirement for such actions to be completed 60 days in advance.

Section 2 of this bill additionally authorizes an applicant to take the licensing examination any time after the Executive Director of the Board determines that his or her application is complete. Section 3 of this bill additionally requires an applicant to submit evidence that the applicant has successfully: (1) completed certain parts of the examination administered by the National Board of Chiropractic Examiners; or (2) completed certain exit examinations from certain colleges of chiropractic.

Existing law authorizes an applicant for a license to practice chiropractic who has certain qualifications to perform chiropractic under the direct supervision of a chiropractor while the applicant is waiting to take the Board's examination. Existing law prohibits an applicant from practicing in such a manner for longer than 2 years. (NRS 634.105) Section 5 of this bill prohibits an applicant from practicing in such a manner for longer than 90 days.

Existing law requires an applicant for a temporary license to practice chiropractic to file an application for a temporary license with the Secretary of the Board. (NRS 634.115) Section 5.5 of this bill requires an applicant to file such an application with the Executive Director of the Board.

Existing law requires a license to practice chiropractic or a certificate as a chiropractor's assistant to be renewed biennially. Existing law requires a chiropractor and a chiropractor's assistant to submit satisfactory proof to the Board that he or she attended a certain number of hours of continuing education. (NRS 634.130) Section 6 of this bill authorizes the Board to adopt regulations that provide for random audits of chiropractors and chiropractor's assistants to ensure compliance with these continuing education requirements. Existing law authorizes the Board to waive the renewal fee for a chiropractor or a chiropractor's assistant if the chiropractor or chiropractor's assistant was in active military service at the time the renewal fee was due. (NRS 634.130) Section 6 authorizes the Board to adopt regulations that provide for the prorating or waiving of a renewal fee if such prorating or waiving is based on the date on which: (1) the license to practice chiropractic or certificate to practice as a chiropractor's assistant was issued by the Board; and (2) such a license or certificate must be renewed.

Existing law authorizes a person who held a license that has expired to apply to the Board to have the license reinstated to active status. Existing law requires such an applicant for reinstatement of his or her license to score 75 percent or higher on an examination prescribed by the Board on the provisions relating to the practice of chiropractic. (NRS 634.131) Section 7 requires such an applicant to score: (1) for certain written, closed-book examinations, 75 percent or higher; or (2) for certain written, open-book examinations or online examinations, 90 percent or higher.

Existing law prescribes the grounds for initiating disciplinary action, including conviction of a felony relating to the practice of chiropractic. (NRS 634.140) Section 8 of this bill revises the grounds by including conviction for any crime and adding incompetence or negligence in the practice of chiropractic as a ground for disciplinary action.

Existing law provides that a person charged with a ground for disciplinary action is entitled to a hearing before the Board. Existing law further provides that if the Board finds the person guilty as charged in a complaint, the Board may order specified disciplinary actions. (NRS 634.190) Section 9 of this bill revises provisions governing the Board's finding to whether the person committed one or more of the charges made in the complaint. Section 9 also provides that the Board's order of disciplinary action may contain such terms,

provisions or conditions as the Board deems proper to remedy or address the facts and circumstances of the case.

Existing law provides immunity from civil action for the Board or any person or other organization which initiates or assists in any lawful investigation or proceeding concerning the discipline of a chiropractor for gross malpractice, repeated malpractice or unprofessional conduct. (NRS 634.216) ~~Existing law provides that unprofessional conduct includes malpractice. (NRS 634.018)~~ Section 10 of this bill extends this immunity from civil action to the initiation or assistance in any lawful investigation or disciplinary proceeding rather than only to investigations or disciplinary proceedings related to gross malpractice, repeated malpractice or unprofessional conduct. Section 10 further amends this provision to remove: (1) gross malpractice, the definition of which is repealed by section 11 of this bill; and (2) repeated malpractice, which is no longer specified as an independent ground for disciplinary action.

Existing law prohibits a chiropractor from piercing or severing any body tissue, except to draw blood for diagnostic purposes. (NRS 634.225) Section 10.5 of this bill adds an exception to this prohibition for the performance of dry needling by a chiropractor who is authorized to do so by regulations adopted by the Board. Section 1 of this bill requires the Board to adopt regulations regarding the qualifications a chiropractor must obtain before he or she is authorized to perform dry needling, which qualifications must include not less than 150 hours of didactic education and training in dry needling.

Section 10.5 also prohibits a chiropractor from offering to engage in, advertising, soliciting or otherwise claiming to be able to perform acupuncture unless he or she is licensed to practice Oriental medicine. However, under section 10.5, a chiropractor who is qualified to perform dry needling pursuant to the regulations adopted by the Board is authorized to offer to engage in, advertise, solicit or otherwise claim to be able to perform dry needling.

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

Section 1. Chapter 634 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Board shall adopt regulations establishing the qualifications a chiropractor must obtain before he or she is authorized to perform dry needling. The qualifications adopted by regulation pursuant to this section must include, without limitation, the successful completion of not less than 150 hours of didactic education and training in dry needling.

2. As used in this section, "dry needling":

(a) Means an advanced needling skill or technique limited to the treatment of myofascial pain, using a single-use, single-insertion, sterile needle, without the use of heat, cold or any other added modality or medication, which is inserted into the skin or underlying tissue to stimulate a trigger point.

(b) Does not include:

(1) The stimulation of an auricular point;

(2) Utilization of a distal point or nonlocal point;

(3) Needle retention;

(4) Application of a retained electrical stimulation lead; or

(5) The teaching or application of other acupuncture theory.

~~Section 1.~~ Sec. 1.5. NRS 634.020 is hereby amended to read as follows:

634.020 1. The Chiropractic Physicians' Board of Nevada, consisting of seven members appointed by the Governor, is hereby created.

2. The Governor shall appoint:

(a) Four members who are:

(1) Graduates of chiropractic schools or colleges giving a course of study embracing the following subjects: Anatomy, bacteriology, chiropractic theory and practice, diagnosis or analysis, elementary chemistry and toxicology, histology, hygiene and sanitation, obstetrics and gynecology, pathology, physiology and symptomatology;

(2) Licensed under this chapter; and

(3) Actually engaged in the practice of chiropractic in this State and who have been so engaged in this State for at least 3 years preceding their appointment.

(b) One member who represents the interests of persons or agencies that regularly provide health care to patients who are indigent, uninsured or unable to afford health care. This member may be licensed under the provisions of this chapter.

(c) Two members who are representatives of the general public. A member appointed pursuant to this paragraph must not be:

(1) A chiropractor or a chiropractor's assistant; or

(2) The spouse or the parent or child, by blood, marriage or adoption, of a chiropractor or a chiropractor's assistant.

3. At least two of the appointees must have had a course in physiotherapy in a school or college of chiropractic. ~~[Not more than two persons who are resident graduates of the same school or college of chiropractic may serve simultaneously as members of the Board.]~~

Sec. 2. NRS 634.080 is hereby amended to read as follows:

634.080 1. An applicant for examination must file an application ~~not less than 60 days before the date of the examination.~~

~~2. An application must be filed~~ with the Secretary of the Board on a form to be furnished by the ~~[Secretary.]~~ Executive Director of the Board. An applicant may take the examination any time after the Executive Director determines that his or her application is complete.

~~3.]~~ 2. An application must be verified and must state:

(a) When and where the applicant was born, the various places of the applicant's residence during the 5 years immediately preceding the making of the application and the address to which he or she wishes the Board to mail the license.

(b) The name, age and sex of the applicant.

(c) The names and post office addresses of all persons by whom the applicant has been employed for a period of 5 years immediately preceding the making of the application.

(d) Whether or not the applicant has ever applied for a license to practice chiropractic in any other state and, if so, when and where and the results of the application.

(e) Whether the applicant is a citizen of the United States or lawfully entitled to remain and work in the United States.

(f) Whether or not the applicant has ever been admitted to the practice of chiropractic in any other state and, if so, whether any discharge, dismissal, disciplinary or other similar proceedings have ever been instituted against the applicant. Such an applicant must also attach a certificate from the chiropractic board of each state in which the applicant was licensed, certifying that the applicant is a member in good standing of the chiropractic profession in that state, and that no proceedings affecting the applicant's standing as a chiropractor are undisposed of and pending.

(g) The applicant's general and chiropractic education, including the schools attended and the time of attendance at each school, and whether the applicant is a graduate of any school or schools.

(h) The names of:

(1) Two persons who have known the applicant for at least 3 years; and

(2) A person who is a chiropractor licensed pursuant to the provisions of this chapter or a professor at a school of chiropractic.

(i) All other information required to complete the application.

~~4-]~~ 3. An application must include a copy of the applicant's official transcript from the school or college of chiropractic from which the applicant received his or her degree of doctor of chiropractic, which must be transmitted by the school or college of chiropractic directly to the Board.

Sec. 3. NRS 634.090 is hereby amended to read as follows:

634.090 1. An applicant must, in addition to the requirements of NRS 634.070 and 634.080, furnish satisfactory evidence to the Board:

(a) That the applicant is of good moral character;

(b) Except as otherwise provided in subsections 2 and 5, ~~not less than 60 days before the date of the examination,]~~ that the applicant has a high school education and is a graduate from a college of chiropractic which is accredited by the Council on Chiropractic Education or which has a reciprocal agreement with the Council on Chiropractic Education or any governmental accrediting agency, whose minimum course of study leading to the degree of doctor of chiropractic consists of not less than 4,000 hours of credit which includes instruction in each of the following subjects:

(1) Anatomy;

(2) Bacteriology;

(3) Chiropractic theory and practice;

(4) Diagnosis and chiropractic analysis;

- (5) Elementary chemistry and toxicology;
- (6) Histology;
- (7) Hygiene and sanitation;
- (8) Obstetrics and gynecology;
- (9) Pathology;
- (10) Physiology; and
- (11) Physiotherapy; and

(c) That the applicant ~~[+] has successfully:~~

(1) ~~[Holds certificates which indicate that he or she has passed]~~ Completed parts I, II, III and IV, and the portion relating to physiotherapy, of the examination administered by the National Board of Chiropractic Examiners ~~[+] or its successor organization;~~ or

(2) ~~[Has actively practiced chiropractic in another state for not fewer than 7 of the immediately preceding 10 years without having any adverse disciplinary action taken against him or her.]~~ Completed an examination that is required to graduate from a college of chiropractic which is accredited by the Council on Chiropractic Education or which has a reciprocal agreement with the Council on Chiropractic Education or any governmental accrediting agency. Such an examination must be:

- (I) Administered by such a college; and
- (II) Approved by the Board.

2. The Board may, for good cause shown, waive the requirement for a particular applicant that the college of chiropractic from which the applicant graduated must be accredited by the Council on Chiropractic Education or have a reciprocal agreement with the Council on Chiropractic Education or a governmental accrediting agency.

3. Except as otherwise provided in subsections 4 and 5, every applicant is required to submit evidence of the successful completion of not less than 60 credit hours at an accredited college or university.

4. Any applicant who has been licensed to practice in another state, and has been in practice for not less than 5 years, is not required to comply with the provisions of subsection 3.

5. If an applicant has received his or her training and education at a school or college located in a foreign country, the Board may, if the Board determines that such training and education is substantially equivalent to graduation from a college of chiropractic that is accredited by the Council on Chiropractic Education and otherwise meets the requirements specified in paragraph (b) of subsection 1, waive the requirement that an applicant attend or graduate from a college that:

- (a) Is accredited by the Council on Chiropractic Education; or
- (b) Has a reciprocal agreement with the Council on Chiropractic Education or a governmental accrediting agency.

Sec. 4. NRS 634.100 is hereby amended to read as follows:

634.100 1. An applicant for a license to practice chiropractic in this State must pay the required fee to the Secretary of the Board ~~[not less than 60 days]~~ before the date of the examination.

2. Except as otherwise provided in NRS 622.090:

(a) For a written, closed-book examination which is administered in person by the Board, a score of 75 percent or higher in all subjects taken on the examination is a passing score.

(b) For a written, open-book examination which is administered in person by the Board or an examination that is taken online, a score of 90 percent or higher in all subjects taken on the examination is a passing score.

3. If an applicant fails to pass the first examination, the applicant may take a second examination within 1 year without payment of any additional fees. Except as otherwise provided in NRS 622.090, credit must be given on this examination for all subjects previously passed.

4. An applicant for a certificate as a chiropractor's assistant must pay the required fee to the Secretary of the Board before the application may be considered.

Sec. 5. NRS 634.105 is hereby amended to read as follows:

634.105 An applicant for a license to practice chiropractic who has the qualifications prescribed in NRS 634.090 may, while waiting to take the Board's examination but for no longer than ~~[2 years,]~~ 90 days, perform chiropractic, including, without limitation, chiropractic adjustment or manipulation, under the direct supervision of a chiropractor who is professionally and legally responsible for the applicant's performance.

Sec. 5.5. NRS 634.115 is hereby amended to read as follows:

634.115 1. Except as otherwise provided in subsections 4 and 5, upon application, payment of the fee, if required, and the approval of its ~~[Secretary]~~ *Executive Director* and President, the Board may, without examination, grant a temporary license to practice chiropractic in this State to a person who holds a corresponding license or certificate in another jurisdiction which is in good standing and who actively practices chiropractic in that jurisdiction. A temporary license may be issued for the limited purpose of authorizing the holder thereof to treat patients in this State.

2. Except as otherwise provided in this subsection, an applicant for a temporary license must file an application with the ~~[Secretary]~~ *Executive Director* of the Board not less than 30 days before the applicant intends to practice chiropractic in this State. Upon the request of an applicant, the President or Secretary may, for good cause, authorize the applicant to file the application fewer than 30 days before he or she intends to practice chiropractic in this State.

3. Except as otherwise provided in subsection 6, an application for a temporary license must be accompanied by a fee of \$50 and include:

(a) The applicant's name, the address of his or her primary place of practice and the applicant's telephone number;

- (b) A current photograph of the applicant measuring 2 by 2 inches;
- (c) The name of the chiropractic school or college from which the applicant graduated and the date of graduation; and
- (d) The number of the applicant's license to practice chiropractic in another jurisdiction.

4. A temporary license:

- (a) Is valid for the period designated on the license, which must be not more than 10 days;
- (b) Is valid for the place of practice designated on the license; and
- (c) Is not renewable.

5. The Board may not grant more than two temporary licenses to an applicant during any calendar year.

6. A chiropractic physician who applies for a temporary license solely for the purpose of providing chiropractic services to a patient in this State without remuneration is not required to pay the fee required pursuant to subsection 3.

Sec. 6. NRS 634.130 is hereby amended to read as follows:

634.130 1. Licenses and certificates must be renewed biennially. Except as otherwise provided in subsection ~~9,~~ 10 or 11, each person who is licensed or holds a certificate as a chiropractor's assistant pursuant to the provisions of this chapter must, upon the payment of the required renewal fee and the submission of all information required to complete the renewal, be granted a renewal license or certificate which authorizes the person to continue to practice for 2 years.

2. Except as otherwise provided in subsection ~~9,~~ 10 or 11, the renewal fee must be paid and all information required to complete the renewal must be submitted to the Board by January 1 of:

- (a) Each odd-numbered year for a licensee; and
- (b) Each even-numbered year for a holder of a certificate as a chiropractor's assistant.

3. Except as otherwise provided in subsection 5, 6 or 7, a licensee in active practice within this State must submit satisfactory proof to the Board that, during the 24 months immediately preceding the renewal date of the license, the licensee has attended at least 36 hours of continuing education which is approved or endorsed by the Board.

4. Except as otherwise provided in subsection 5, 6 or 8, a holder of a certificate as a chiropractor's assistant in active practice within this State must submit satisfactory proof to the Board that, during the 24 months immediately preceding the renewal date of the certificate, the certificate holder has attended at least 12 hours of continuing education which is approved or endorsed by the Board or the equivalent board of another state or jurisdiction that regulates chiropractors' assistants. The continuing education required by this subsection may include education related to lifesaving skills, including, without limitation, a course in cardiopulmonary resuscitation. The Board shall by regulation determine how many of the required 12 hours of continuing education must be course work related to such lifesaving skills. Any course of

continuing education approved or endorsed by the Board or the equivalent board of another state or jurisdiction pursuant to this subsection may be conducted via the Internet or in a live setting, including, without limitation, a conference, workshop or academic course of instruction. The Board shall not approve or endorse a course of continuing education which is self-directed or conducted via home study.

5. The educational requirement of subsection 3 or 4 may be waived by the Board if the licensee or holder of a certificate as a chiropractor's assistant files with the Board a statement of a chiropractic physician, osteopathic physician or doctor of medicine certifying that the licensee or holder of a certificate as a chiropractor's assistant is suffering from a serious or disabling illness or physical disability which prevented the licensee or holder of a certificate as a chiropractor's assistant from completing the requirements for continuing education during the 24 months immediately preceding the renewal date of the license or certificate.

6. The Board may waive the educational requirement of subsection 3 or 4 for a licensee or a holder of a certificate as a chiropractor's assistant if the licensee or holder of a certificate submits to the Board proof that the licensee or holder of a certificate was in active military service which prevented the licensee or holder of a certificate from completing the requirements for continuing education during the 24 months immediately preceding the renewal date of the license or certificate.

7. A licensee is not required to comply with the requirements of subsection 3 until the first odd-numbered year after the year the Board issues to the licensee an initial license to practice as a chiropractor in this State.

8. A holder of a certificate as a chiropractor's assistant is not required to comply with the requirements of subsection 4 until the first even-numbered year after the Board issues to the holder of a certificate an initial certificate to practice as a chiropractor's assistant in this State.

9. *The Board may adopt regulations that provide for random audits of licensees and holders of a certificate as a chiropractor's assistant to ensure compliance with subsection 3 or 4, as appropriate.*

10. The Board may waive the renewal fee for a licensee or holder of a certificate as a chiropractor's assistant if the licensee or holder of a certificate submits proof to the Board that the licensee or holder of a certificate was in active military service at the time the renewal fee was due.

~~10.~~ 11. *The Board may adopt regulations that provide for the prorating or waiving of the renewal fee for a licensee or holder of a certificate as a chiropractor's assistant if such prorating or waiving is based upon the date on which:*

*(a) The Board issues a license to practice chiropractic or a certificate as a chiropractor's assistant; and*

*(b) Such license or certification must be renewed.*

12. If a licensee fails to:

(a) Except as otherwise provided in subsection ~~{9}~~ 10 or 11, pay the renewal fee by January 1 of an odd-numbered year;

(b) Except as otherwise provided in subsection 5 or 6, submit proof of continuing education pursuant to subsection 3;

(c) Notify the Board of a change in the location of his or her office pursuant to NRS 634.129; or

(d) Submit all information required to complete the renewal,  
 ➔ the license automatically expires and, except as otherwise provided in NRS 634.131, may be reinstated only upon the payment, by January 1 of the even-numbered year following the year in which the license expired, of the required fee for reinstatement in addition to the renewal fee.

~~{11}~~ 13. If a holder of a certificate as a chiropractor's assistant fails to:

(a) Except as otherwise provided in subsection ~~{9}~~ 10 or 11, pay the renewal fee by January 1 of an even-numbered year;

(b) Except as otherwise provided in subsection 5 or 6, submit proof of continuing education pursuant to subsection 4;

(c) Notify the Board of a change in the location of his or her office pursuant to NRS 634.129; or

(d) Submit all information required to complete the renewal,  
 ➔ the certificate automatically expires and may be reinstated only upon the payment of the required fee for reinstatement in addition to the renewal fee.

Sec. 7. NRS 634.131 is hereby amended to read as follows:

634.131 1. If a license expires pursuant to the provisions of subsection ~~{10}~~ 12 of NRS 634.130 and the license was not reinstated pursuant to the provisions of that subsection, the person who held the license may apply to the Board to have the license reinstated to active status.

2. An applicant to have an expired license reinstated to active status pursuant to subsection 1 must:

(a) Either:

(1) Submit satisfactory evidence to the Board:

(I) That the applicant has maintained an active practice in another state, territory or country within the preceding 5 years;

(II) From all other licensing agencies which have issued the applicant a license that he or she is in good standing and has no legal actions pending against him or her; and

(III) That the applicant has participated in a program of continuing education in accordance with NRS 634.130 for the year in which he or she seeks to be reinstated to active status; or

(2) Score :

(I) For a written, closed-book examination which is administered in person by the Board, 75 percent or higher in all subjects on ~~{an}~~ the examination ~~[prescribed by the Board on]~~ concerning the provisions of this chapter and the regulations adopted by the Board; or

(II) For a written, open-book examination which is administered in person by the Board or an examination that is taken online, 90 percent or

higher in all subjects on the examination concerning the provisions of this chapter and the regulations adopted by the Board;

(b) Pay:

- (1) The fee for the biennial renewal of a license to practice chiropractic;
- (2) The fee for reinstating a license to practice chiropractic which has expired; and
- (3) The fee for the processing of fingerprints established pursuant to subsection 4; and

(c) Submit a complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

3. If any of the requirements set forth in subsection 2 are not met by an applicant for the reinstatement of an expired license to active status, the Board, before reinstating the license of the applicant to active status:

(a) Must hold a hearing to determine the professional competency and fitness of the applicant; and

(b) May require the applicant to:

(1) Pass the Special Purposes Examination for Chiropractic prepared by the National Board of Chiropractic Examiners; and

(2) Satisfy any additional requirements that the Board deems to be necessary.

4. The Board shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.

Sec. 8. NRS 634.140 is hereby amended to read as follows:

634.140 The grounds for initiating disciplinary action pursuant to this chapter are:

1. Unprofessional conduct.
2. *Incompetence or negligence in the practice of chiropractic.*
3. Conviction of:

(a) A violation of any federal or state law regulating the possession, distribution or use of any controlled substance or any dangerous drug as defined in chapter 454 of NRS;

(b) A ~~felony~~ *crime* relating to the practice of chiropractic;

(c) A violation of any of the provisions of NRS 616D.200, 616D.220, 616D.240 or 616D.300 to 616D.440, inclusive; or

(d) Any offense involving moral turpitude.

~~3.~~ 4. Suspension or revocation of the license to practice chiropractic by any other jurisdiction.

~~4.~~ 5. Referring, in violation of NRS 439B.425, a patient to a health facility, medical laboratory or commercial establishment in which the licensee has a financial interest.

~~5.1~~ 6. Operation of a medical facility, as defined in NRS 449.0151, at any time during which:

- (a) The license of the facility is suspended or revoked; or
- (b) An act or omission occurs which results in the suspension or revocation of the license pursuant to NRS 449.160.

↪ This subsection applies to an owner or other principal responsible for the operation of the facility.

Sec. 9. NRS 634.190 is hereby amended to read as follows:

634.190 1. The person charged is entitled to a hearing before the Board, but the failure of the person charged to attend a hearing or to defend himself or herself does not delay or void the proceedings. The Board may, for good cause shown, continue any hearing from time to time.

2. If the Board finds *that* the person ~~[guilty as charged]~~ *committed one or more of the charges made in the complaint, ~~it~~ the Board* may by order:

- (a) Place the person on probation for a specified period or until further order of the Board.
- (b) Administer to the person a public reprimand.
- (c) Limit the practice of the person to, or by the exclusion of, one or more specified branches of chiropractic.
- (d) Suspend the license of the person to practice chiropractic for a specified period or until further order of the Board.
- (e) Revoke the license of the person to practice chiropractic.
- (f) Impose a fine of not more than \$5,000 for each act which constitutes a ground for disciplinary action, which must be deposited with the State Treasurer for credit to the State General Fund.

↪ The order of the Board may contain such other terms, provisions or conditions as the Board deems proper ~~[and which are not inconsistent with law]~~ *to remedy or address the facts and circumstances of the particular case.*

3. If the Board finds that a licensee has violated the provisions of NRS 439B.425, the Board shall suspend the license for a specified period or until further order of the Board.

4. The Board shall not administer a private reprimand.

5. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

Sec. 10. NRS 634.216 is hereby amended to read as follows:

634.216 The Board or any person who or other organization which initiates or assists in any lawful investigation or proceeding concerning the discipline of a chiropractor ~~[for gross malpractice, repeated malpractice or unprofessional conduct]~~ is immune from any civil action for that initiation or assistance or any consequential damages, if the person or organization acted without malicious intent.

Sec. 10.5. NRS 634.225 is hereby amended to read as follows:

634.225 1. A chiropractor shall not pierce or sever any body tissue, except to ~~[draw]~~ :

- (a) Draw blood for diagnostic purposes ~~[ ]~~ ; or

(b) Perform dry needling, if the chiropractor is qualified to do so pursuant to the regulations adopted by the Board pursuant to section 1 of this act.

2. A chiropractor shall not offer to engage in, advertise, solicit or otherwise claim to be able to perform acupuncture unless he or she is licensed to practice Oriental medicine pursuant to chapter 634A of NRS, except that a chiropractor who is qualified to perform dry needling pursuant to the regulations adopted pursuant to section 1 of this act may offer to engage in, advertise, solicit or otherwise claim to be able to perform dry needling.

3. As used in this section:

(a) "Acupuncture" has the meaning ascribed to it in NRS 634A.020.

(b) "Dry needling" has the meaning ascribed to it in section 1 of this act.

Sec. 11. NRS 634.015 is hereby repealed.

Sec. 12. This act becomes effective on July 1, 2019.

#### TEXT OF REPEALED SECTION

634.015 "Gross malpractice" defined. "Gross malpractice" means malpractice where the failure to exercise the requisite degree of care, diligence or skill consists of ministering to a patient while the chiropractor is under the influence of alcohol or any controlled substance.

Senator Spearman moved the adoption of the amendment.

Remarks by Senator Spearman.

Amendment No. 661 makes two changes to Assembly Bill No. 457. The amendment adds a new section to require the Chiropractic Physicians' Board of Nevada to adopt regulations establishing the qualifications a chiropractor must obtain before he or she is authorized to perform dry needling, which must include 150 hours of didactic education and training in dry needling, and amends section 10 to provide the immunity from civil action for a person who assists the Board in any lawful investigation or disciplinary proceeding rather than only for a person who assists with an investigation or proceeding relating to unprofessional conduct.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Joint Resolution No. 3.

Resolution read second time and ordered to third reading.

Assembly Joint Resolution No. 7.

Resolution read second time and ordered to third reading.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 94.

Bill read third time.

The following amendment was proposed by Senator Ratti:

Amendment No. 668.

SUMMARY—Revises provisions governing the Account for Family Planning. (BDR 40-446)

AN ACT relating to family planning; revising provisions governing the Account for Family Planning; and providing other matters properly relating thereto.

## Legislative Counsel's Digest:

Existing law establishes the Account for Family Planning for the purpose of awarding grants of money to local governmental entities and nonprofit organizations to provide certain family planning services, including the distribution of certain contraceptives, the installation of certain contraceptive devices and the performance of certain contraceptive procedures. The Account is administered by the Administrator of the Division of Public and Behavioral Health of the Department of Health and Human Services. Existing law authorizes the Administrator to use not more than 10 percent of the money in the Account to administer the Account. (NRS 442.725) Section 1.2 of this bill transfers the duty to administer the Account from the Administrator to the Director of the Department of Health and Human Services or his or her designee. Additionally, section 1.2 authorizes the Director or his or her designee to also use the money to pay for family planning services offered by providers of health care or for other services offered by a department or division of the Executive Department of State Government through a contract with the recipient of the grant money. Further, section 1.2 decreases from 10 percent to 5 percent the amount of money in the Account that is authorized to be used to administer the Account. Section 1.2 also requires family planning services paid for with money from the Account to be made available to all persons who would otherwise have difficulty obtaining such services.

Existing law requires insurers to cover certain types of contraception. (NRS 689A.0418, 689B.0378, 689C.1676, 695A.1865, 695B.1919, 695C.1696, 695G.1715) Section 1.2 revises the types of contraception for which money from the Account may be used to correspond to the types of contraceptives that insurers are required to cover. Section 1.2 additionally authorizes the use of money from the Account to pay for voluntary sterilization for men, male condoms and certain federally recommended vaccinations. Section 1.2 also prohibits the Director or his or her designee or any entity that receives a grant from the Account or enters into a contract with the Director or his or her designee from discriminating against a provider of family planning services.

Sections 1, 1.3 and 1.4 of this bill make conforming changes.

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

Section 1. NRS 442.720 is hereby amended to read as follows:

442.720 ~~["Administrator"]~~ "Director" means the ~~Administrator of the Division~~ *Director of the Department of Health and Human Services.*

Sec. 1.2. NRS 442.725 is hereby amended to read as follows:

442.725 1. The Account for Family Planning is hereby created in the State General Fund. The ~~Administrator~~ *Director or his or her designee* shall administer the Account.

2. Except as otherwise provided in subsection ~~[5.]~~ 6, the money in the Account must be expended to ~~award~~ :

(a) Award grants of money to local governmental entities and nonprofit organizations to provide the family planning services described in ~~the section~~ subsection 3 to all persons who would otherwise have difficulty obtaining such services because of poverty, lack of insurance or transportation or any other reason ~~[Grants of money awarded pursuant to this section]~~; or

(b) Pay for family planning services described in subsection 3 which are provided by a department or division of the Executive Department of State Government or pursuant to a contract with such a department or division, which may include, without limitation, a contract with a community health nurse, a consultant or any other person or entity.

3. Money in the Account may only be used to ~~fund~~ pay for:

(a) The provision of education by trained personnel concerning family planning;

(b) The distribution of information concerning family planning;

(c) The referral of persons to appropriate agencies, organizations and providers of health care for consultation, examination, treatment, genetic counseling and prescriptions for the purpose of family planning;

(d) The distribution of contraceptives, the installation of contraceptive devices and the performance of contraceptive procedures approved by the United States Food and Drug Administration, which must be limited to:

(1) ~~[Sterilization surgery]~~ Voluntary sterilization for men and women;

(2) Surgical sterilization implants for women;

(3) Implantable rods;

(4) ~~[Copper]~~ Copper-based intrauterine devices ~~[and]~~;

(5) Progesterone-based intrauterine devices; ~~[with progestin];~~

~~— (5) Contraceptive injections and patches;~~

(6) Injections;

~~— (7) Combined [oral contraceptive pills, progestin only oral contraceptives and oral contraceptives for extended or continuous use;~~

~~(7)] estrogen- and progestin-based drugs;~~

(8) Progestin-based drugs;

(9) Extended- or continuous-regimen drugs;

(10) Estrogen- and progestin-based patches;

(11) Vaginal contraceptive rings;

~~— (8)] (12) Diaphragms;~~

~~— (9) Contraceptive sponges;~~

~~(10)] with spermicide;~~

(13) Sponges with spermicide;

(14) Cervical caps;

~~— (11)] with spermicide;~~

(15) ~~[Female condoms]~~ Condoms;

~~— (12)] (16) Spermicide; [and~~

~~— (13) Levonorgestrel and ulipristal]~~

(17) Combined estrogen- and progestin-based drugs for emergency contraception or progestin-based drugs for emergency contraception; and

(18) *Ulipristal acetate* ~~{;}~~ *for emergency contraception;*

(e) The provision of or referral of persons for preconception health services and assistance to achieve pregnancy; ~~{and}~~

(f) The provision of or referral of persons for testing for and treatment of sexually transmitted infections ~~{~~  
~~—3.}~~ ; and

(g) *The provision of any vaccinations recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention of the United States Department of Health and Human Services or its successor organization.*

4. Family planning services funded by a local governmental entity using a grant awarded pursuant to ~~{this section}~~ *paragraph (a) of subsection 2* may be provided wholly or partially through a contract between the local governmental entity and another local governmental entity, an agency of the State, a community health nurse, a consultant or any other person or entity.

~~{4.}~~ 5. Family planning services ~~{funded using a grant awarded}~~ *paid for* pursuant to this section must be made available to *all* persons requesting such services:

(a) In a manner that protects the dignity of the recipient;

(b) Without regard to religion, race, color, national origin, physical or mental disability, age, sex, gender identity or expression, sexual orientation, number of previous pregnancies or marital status;

(c) In accordance with written clinical protocols that are in accordance with nationally recognized standards of care; and

(d) By persons who are required by NRS 432B.220 to report the abuse or neglect of a child.

~~{5.}~~ 6. The ~~{Administrator}~~ *Director or his or her designee* may not use more than ~~{10}~~ 5 percent of the money in the Account to administer the Account.

~~{6.}~~ 7. The ~~{Administrator}~~ *Director or his or her designee* shall award grants of money from the Account *pursuant to paragraph (a) of subsection 2* based entirely on the need for family planning services in the community served by the local governmental entity or the nonprofit organization and the ability of the local governmental entity or nonprofit organization to effectively deliver family planning services.

~~{7.}~~ 8. *The Director or his or her designee or any entity that receives a grant or enters into a contract pursuant to subsection 2 shall not discriminate against any provider of family planning services in any manner, including, without limitation, by:*

(a) *Refusing to allow a provider of family planning services to provide family planning services paid with money from the Account; or*

(b) *Failing to provide timely or appropriate reimbursement for such family planning services.*

9. The existence of the Account does not create a right in any local government or nonprofit organization *or other entity* to receive money from the Account.

~~§.~~ 10. As used in this section, "preconception health services" means the promotion of proper health practices, screenings and interventions conducted before pregnancy to identify and modify biomedical, behavioral and social risks to a woman's health or pregnancy outcome through prevention and management.

Sec. 1.3. NRS 442.730 is hereby amended to read as follows:

442.730 1. The ~~Administrator~~ *Director or his or her designee* may apply for and accept any gift, donation, bequest, grant or other source of money for the purpose of awarding grants pursuant to NRS 442.725. Any money so received must be deposited in the Account.

2. The interest and income earned on money in the Account from any gift, donation or bequest, after deducting any applicable charges, must be credited to the Account.

3. Money from any gift, donation or bequest that remains in the Account at the end of the fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.

Sec. 1.4. NRS 442.745 is hereby amended to read as follows:

442.745 1. The State Board of Health shall adopt any regulations necessary to carry out the provisions of NRS 442.710 to 442.745, inclusive. The regulations must establish, without limitation:

(a) The manner in which a local governmental entity or nonprofit organization may apply for a grant pursuant to NRS 442.725; and

(b) A requirement that the recipient of a grant pursuant to NRS 442.725 must submit any information that the State Board of Health determines is necessary for the ~~Administrator~~ *Director or his or her designee* to determine the purposes for which such a grant was used and evaluate the outcomes of services provided using such grants.

2. The regulations adopted pursuant to this section must not require a local governmental entity or nonprofit organization to apply for a grant pursuant to NRS 442.725.

Sec. 2. (Deleted by amendment.)

Sec. 3. This act becomes effective on July 1, 2019.

Senator Ratti moved the adoption of the amendment.

Remarks by Senator Ratti.

Amendment No. 668 to Senate Bill No. 94 expands the definitions of things the Account for Family Planning Funds can be used for from just female condoms to all condoms.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 110.

Bill read third time.

Remarks by Senator Cancela.

Assembly Bill No. 110 revises provisions governing citations for minor traffic and related violations. Courts with jurisdiction over traffic citations may establish a system allowing a person who has been issued a traffic citation to make a plea and statement of his or her defense or any mitigating circumstances by mail, electronic mail, over the Internet or other electronic means. The measure sets forth the requirements that any such system must meet and authorizes the Nevada Supreme Court to adopt rules relating to the establishment of such a system.

The bill also provides the following: the Director of Nevada's Department of Motor Vehicles is required to release to the court or its traffic violations bureau certain contact information of a person who has been issued a traffic citation; a traffic enforcement agency is authorized to issue traffic citations and provide notifications concerning the traffic citation to a person electronically; a peace officer is authorized to request the electronic mail address and mobile telephone number of the person with the traffic citation for the purpose of enabling the court in which the person is required to appear to communicate with the person, and a court or traffic violations bureau may allow an eligible person to resolve his or her traffic citation through a system established by a court before the day he or she is required to appear in court. If a person uses the system, the person waives his or her right to a trial and the right to confront any witnesses.

This bill makes a conforming change to provide that using the system to make a plea and state a defense or any mitigating circumstances does not constitute a failure to appear in court. Finally, the measure removes the 50-year limitation on the imposition of an administrative assessment for the provision of court facilities. This bill will make it easier for people to challenge traffic citations and will declaw court systems by allowing better options for people when challenging those citations. This is a good bill, and I urge the Body's support.

Roll call on Assembly Bill No. 110:

YEAS—21.

NAYS—None.

Assembly Bill No. 110 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS  
CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Bill No. 117.

The following Assembly amendment was read:

Amendment No. 652.

JOINT SPONSOR: ASSEMBLYWOMAN KRASNER

SUMMARY—Revises certain provisions relating to real property. (BDR 10-642)

AN ACT relating to real property; authorizing certain persons to record a declaration relating to real property under certain circumstances; revising certain provisions concerning restrictions and prohibitions relating to real property; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that any provision in a written instrument which purports to forbid or restrict a conveyance, encumbrance, leasing or mortgaging of real property to any person on the basis of race, color, religion, ancestry, national origin, sexual orientation, or gender identity or expression is voidable by the grantee or the grantee's successors and assigns and that such a restriction or prohibition may be voided by such a person by filing an

affidavit with the county recorder declaring the restriction or prohibition void. Existing law also provides that any restriction or prohibition by way of covenant, condition upon use or occupation, or transfer of title to real property, which restricts or prohibits the use or occupation of real property based on the acquirer's, user's or occupier's race, color, religion, ancestry, national origin, sexual orientation, or gender identity or expression is voidable and that such a restriction or prohibition may be voided by the grantee or grantee's successors and assigns by filing an affidavit with the county recorder declaring the restriction or prohibition void. (NRS 111.237)

Section 1.5 of this bill provides that any restriction or prohibition based on race, color, religion, ancestry, national origin, sexual orientation, or gender identity or expression is void, instead of voidable, eliminating the requirement to file an affidavit with the county recorder to void such a provision. Section 1.5 also adds disability, familial status and sex to the list of restrictions and prohibitions which are void.

Section 1.5 authorizes an owner or owners of real property that is subject to a restriction or prohibition that is void and unenforceable by operation of law to record a declaration of removal of discriminatory restriction that acts to remove such a provision from the original recorded instrument. Section 1.5 requires: (1) the owner or owners to file the declaration with the county recorder of the county in which the real property is located; and (2) the county recorder to record and index the declaration under certain circumstances. Section 1 of this bill requires the Real Estate Division of the Department of Business and Industry to create the declaration form. Section 1 also requires the declaration form to contain certain information.

Existing law prohibits a county recorder from recording certain documents related to real property unless the document being recorded contains certain information. (NRS 111.312) Section 2 of this bill additionally prohibits the county recorder from recording a declaration of removal of discriminatory restriction unless the declaration contains the required information.

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

Section 1. Chapter 111 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The Real Estate Division of the Department of Business and Industry shall:*

(a) *Solicit recommendations from the county recorder of each county concerning the design and contents of a form that may be used to make a declaration of removal of a discriminatory restriction pursuant to NRS 111.237.*

(b) *Prescribe such a form after considering all recommendations solicited pursuant to paragraph (a).*

2. *The form must provide for the inclusion of the following:*

(a) Identifying information concerning the original written instrument that contains a prohibition or restriction that is void and unenforceable pursuant to NRS 111.237;

(b) The name or names of the owner or owners of the property;

(c) The assessor's parcel number;

(d) The legal description of the real property as provided in the original written instrument;

(e) The mailing address of the owner or owners of the property; and

(f) The following statements in 14-point font, in substantially the following form:

(1) The referenced original written instrument contains discriminatory restrictions that are void and unenforceable pursuant to NRS 111.237. This declaration removes from the referenced original instrument all provisions that are void and unenforceable pursuant to NRS 111.237 and is valid solely for that purpose; and

(2) All persons in this State shall have an equal opportunity to inherit, purchase, lease, rent, sell, hold and convey real property without discrimination, distinction or restriction because of race, color, religion, ancestry, national origin, disability, familial status, sex, sexual orientation or gender identity or expression pursuant to chapter 118 of NRS.

3. The form must be made available, free of charge:

(a) By the Real Estate Division at its principal office designated pursuant to NRS 645.170 and at each branch office established pursuant to NRS 645.170 and on any Internet website maintained by the Division; and

(b) By the county recorder at the office of the county recorder and on any Internet website maintained by the county recorder in his or her official capacity.

Sec. 1.5. NRS 111.237 is hereby amended to read as follows:

111.237 1. Every provision in a written instrument relating to real property which purports to forbid or restrict the conveyance, encumbrance, leasing or mortgaging of such real property to any person of a specified race, color, religion, ancestry, national origin, *disability, familial status, sex*, sexual orientation, or gender identity or expression is ~~voidable by the grantee, the grantee's successors and assigns in the manner prescribed in subsection 3~~ void and unenforceable and every restriction or prohibition as to the use or occupation of real property because of the user's or occupier's race, color, religion, ancestry, national origin, *disability, familial status, sex*, sexual orientation, or gender identity or expression is ~~voidable by the grantee, the grantee's successors and assigns in the manner prescribed in subsection 3.~~ void and unenforceable.

2. Every restriction or prohibition, whether by way of covenant, condition upon use or occupation, or upon transfer of title to real property, which restriction or prohibition directly or indirectly limits the acquisition, use or occupation of such property because of the acquirer's, user's or occupier's race, color, religion, ancestry, national origin, *disability, familial status, sex*, sexual

orientation, or gender identity or expression is ~~[voidable by the grantee, the grantee's successors and assigns in the manner prescribed in subsection 3.] void and unenforceable.~~

3. ~~[The owner or owners of any real property subject to any restriction or prohibition specified in subsections 1 and 2 may record an affidavit declaring such restrictions or prohibitions to be void in the office of the county recorder in which such real property is located, and such recording shall operate to remove such restrictions or prohibitions.]~~ The owner or owners of any real property subject to a restriction or prohibition that is void and unenforceable by operation of law pursuant to subsection 1 or 2 may record a form prescribed by the Real Estate Division of the Department of Business and Industry pursuant to section 1 of this act declaring that all such restrictions or prohibitions are removed from the referenced original written instrument.

4. The form must be completed and signed by the owner or owners of the real property and filed in the office of the county recorder in which the real property is located.

5. If the form is filed with the appropriate county recorder pursuant to subsection 4, the county recorder shall record and index the form with any other restriction or prohibition upon real property, including, without limitation, real property within a common-interest community pursuant to chapter 116 of NRS.

6. If the form is not filed with the county recorder of the appropriate county pursuant to subsection 4, the county recorder shall transfer the form to the county recorder of the appropriate county for recording and indexing in the manner described in subsection 5.

7. Nothing in this section regarding familial status shall be construed to apply to housing for older persons so long as such housing complies with the requirements of 42 U.S.C. § 3607.

8. As used in this section:

(a) "Disability" means, with respect to a person:

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

(2) A record of such an impairment; or

(3) Being regarded as having such an impairment.

(b) "Familial status" means the fact that a person:

(1) Lives with a child under the age of 18 and has:

(I) Lawful custody of the child; or

(II) Written permission to live with the child from the person who has lawful custody of the child;

(2) Is pregnant; or

(3) Has begun the proceeding to adopt or otherwise obtain lawful custody of a child.

Sec. 2. NRS 111.312 is hereby amended to read as follows:

111.312 1. The county recorder shall not record with respect to real property, a notice of completion, a declaration of homestead, a declaration of

*removal of discriminatory restriction*, a lien or notice of lien, an affidavit of death, a mortgage or deed of trust, any conveyance of real property or instrument in writing setting forth an agreement to convey real property or a notice pursuant to NRS 111.3655 unless the document being recorded contains:

(a) The mailing address of the grantee or, if there is no grantee, the mailing address of the person who is requesting the recording of the document; and

(b) Except as otherwise provided in subsection 2, the assessor's parcel number of the property at the top left corner of the first page of the document, if the county assessor has assigned a parcel number to the property. The parcel number must comply with the current system for numbering parcels used by the county assessor's office. The county recorder is not required to verify that the assessor's parcel number is correct.

2. Any document relating exclusively to the transfer of water rights may be recorded without containing the assessor's parcel number of the property.

3. The county recorder shall not record with respect to real property any deed, including, without limitation:

(a) A grant, bargain or deed of sale;

(b) Quitclaim deed;

(c) Warranty deed; or

(d) Trustee's deed upon sale,

↳ unless the document being recorded contains the name and address of the person to whom a statement of the taxes assessed on the real property is to be mailed.

4. The assessor's parcel number shall not be deemed to be a complete legal description of the real property conveyed.

5. Except as otherwise provided in subsection 6, if a document that is being recorded includes a legal description of real property that is provided in metes and bounds, the document must include the name and mailing address of the person who prepared the legal description. The county recorder is not required to verify the accuracy of the name and mailing address of such a person.

6. If a document including the same legal description described in subsection 5 previously has been recorded, the document must include all information necessary to identify and locate the previous recording, but the name and mailing address of the person who prepared the legal description is not required for the document to be recorded. The county recorder is not required to verify the accuracy of the information concerning the previous recording.

Sec. 3. This act becomes effective upon passage and approval for the purpose of performing any preparatory administrative tasks necessary to carry out the provisions of this act, and on October 1, 2019, for all other purposes.

Senator Cannizzaro moved that the Senate concur in Assembly Amendment No. 652 to Senate Bill No. 117.

## Remarks by Senator Cannizzaro.

Amendment No. 652 to Senate Bill No. 117 adds Assemblywoman Krasner as a sponsor of the bill.

Motion carried by a constitutional majority.

Bill ordered enrolled.

## SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Bills Nos. 68, 72, 74, 97, 154, 274, 286, 331; Assembly Bills Nos. 22, 27, 29, 45, 49, 85, 89, 124, 137, 170, 177, 181, 231, 337, 344, 377, 455, 467, 471, 484.

## REMARKS FROM THE FLOOR

Senator Pickard requested that his remarks be entered in the Journal.

I have the honor and privilege of introducing the members of the Red Hat Society who are with us today. The Red Hat Society resulted from the giving of one birthday gift. In November 1997, Sue Ellen Cooper of Fullerton, California, presented her dear friend, Linda Murphy, with a red hat and a copy of the poem "Warning" by Jenny Joseph. The original intent was that Linda hang the hat on a hook next to the framed poem as a decorative reminder to loosen up as she got older. Other friends of Sue Ellen expressed an interest in receiving the same gift when they reached their 50th birthdays. Sue Ellen says that one's 50th birthday does not signify the beginning of being old; it merely qualifies one to begin practicing to be old.

I will now read the poem "Warning" by Jenny Joseph.

When I am an old woman I shall wear purple,  
 With a red hat which doesn't go, and doesn't suit me.  
 And I shall spend my pension on brandy and summer gloves  
 And satin sandals, and say we've no money for butter.  
 I shall sit down on the pavement when I'm tired  
 And gobble up samples in shops and press alarm bells  
 And run my stick along the public railings  
 And make up for the sobriety of my youth.  
 I shall go out in my slippers in the rain  
 And pick the flowers in other people's gardens  
 And learn to spit.  
 You can wear terrible shirts and grow more fat  
 And eat three pounds of sausages at a go  
 Or only bread and pickles for a week  
 And hoard pens and pencils and beer mats and things in boxes.  
 But now, we must have clothes that keep us dry  
 And pay our rent and not swear in the street  
 And set a good example for the children.  
 We must have friends to dinner and read the papers.  
 But maybe I ought to practice a little now?  
 So people who know me are not too shocked and surprised  
 When suddenly I am old, and start to wear purple.  
 Please help me make them feel welcome.

## GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Denis, the privilege of the floor of the Senate Chamber for this day was extended to the students of Sandy Miller Elementary School: Nathan Arciniega-Aguilar, Natalia Balcazar, Hayleigh Barker, Christopher Birt, Patrick Birt, Anita Brown, Dario Buenrostro, Denise Burgoin, Michael Carter, Ryan Carter, Cree Cupples, Khmya Deas, Diana Duarte, Manuel Duarte, Matthew Escobedo, Andrea Esquivel, Betsy Esquivel,

Aylin Estrada-Avitia, Atara Fewins, Jill Fitch, Amaya Flores, Atonya Freeman, Stanley Freeman, Brian Garcia, Samuel Garcia, Faris Gibirila, Erick Gomez, Alexis Gonzalez, Israel Gonzalez, Luis Gonzalez, Anthony Grijalva-Enriquez, Gemma Guerrero, John Heller, Elijah Henry Hayes, Shawana Henry, Emily Hernandez, Landen Hernandez, Alyssa Jones, Valentina Novovo Jones, Diana Lawson, Mikayla Lebaron, Carlos Losa-Arias, Secilia Machucha, Jaime Marks, Susie Martinez, Alexa Martin-Hidalgo, Franco Maruelli, Gustavo Maruelli, Esmeralda Gonzaga Matias, Helsi Maya, Scarlett Maynard, Dwayne McCray, Jessie Mejia, Matthew Mejia, Damian Melgarejo, Karolina Mendoza, Sandy Miller, Valery Minor, Monserrat Calderon Mora, Ronaldo Munoz, Lene Muth, Saul Hernandez Nunez, Alaina Olson, Dana Olson, Naomi Overocker, Sonny Overocker, Kyla Pablo, Evangelina Palafox, Emmy Panaco-Aguado, Michelle Panduro Valenzuela, Gabriela Pena, Wendy Pena, Omar Perez-Vazquez, Robert Phillips, Adrian Prado, Daniel Quispe, Abraham Ramos, Alan Ramos, Emily Rehmel, Jeremy Rimer, Adriana Rodriguez, Monica Rodriguez, Zoe Rodriguez, Victoria Romero, Antonio Rosales, Mariely Hernandez Rosas, Veronica Saenz, Ashlynn Simpson, Alexander Soriano-Rivera, Erika Soto, Melanie Soto, Ashton Taylor, Abril Terrazax, Maddux Tuley, Wendy Tuley, Amira Turner, Tangelo Turner, Lynn Tyrell, Michael Vazquez, Claudia Vigil, Sophia Vigil and George Yates.

On request of Senator Dondero Loop, the privilege of the floor of the Senate Chamber for this day was extended to Terre Bommarito.

On request of Senator Hammond, the privilege of the floor of the Senate Chamber for this day was extended to Anthony Beall.

On request of Senator Pickard, the privilege of the floor of the Senate Chamber for this day was extended to Patricia Bryant, Suzanne Ericson and Sara Menke.

On request of Senator Seevers Gansert, the privilege of the floor of the Senate Chamber for this day was extended to Marian Gansert.

On request of Senator Settlemeyer, the privilege of the floor of the Senate Chamber for this day was extended to Loretta Brawley, Janice Roberts and Ann Watts.

On request of Senator Spearman, the privilege of the floor of the Senate Chamber for this day was extended to Julie Murray and Kristina Riggins.

Senator Cannizzaro moved that the Senate adjourn until Friday, May 10, 2019, at 11:00 a.m.

Motion carried.

Senate adjourned at 11:58 a.m.

Approved:

KATE MARSHALL  
*President of the Senate*

Attest: CLAIRE J. CLIFT  
*Secretary of the Senate*