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SECOND REPRINT

A.B. 376

ASSEMBLY BILL NO. 376—ASSEMBLYMEN TORRES, WATTS, NGUYEN, FLORES, MARZOLA; ANDERSON, BILBRAY-AXELROD, BROWN-MAY, CONSIDINE, DURAN, GONZÁLEZ, MARTINEZ, C.H. MILLER, PETERS AND THOMAS

MARCH 22, 2021

JOINT SPONSORS: SENATORS NEAL, DONATE AND DENIS

Referred to Committee on Government Affairs

SUMMARY—Enacts the Keep Nevada Working Act and makes various other changes relating to immigration. (BDR 18-737)

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

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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 immigration; enacting the Keep Nevada Working Act; creating the Keep Nevada Working Task Force and establishing the power and duties of the Task Force; requiring the Attorney General to publish model policies relating to immigration; requiring state and local law enforcement agencies, public schools, institutions of higher education, health care facilities and courthouses to take certain actions relating to the model policies published by the Attorney General; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Section 16** of this bill establishes the Keep Nevada Working Act and provides
2 that **sections 16-20** of this bill may be cited as such. **Section 18** of this bill creates
3 the Keep Nevada Working Task Force and sets forth the membership of the Task
4 Force. **Section 19** of this bill requires the Task Force to meet quarterly and sets
5 forth various other administrative functions. Finally, **section 20** of this bill: (1)
6 prescribes the duties of the Task Force; (2) requires the Task Force to submit an
7 annual report to the Director of the Legislative Counsel Bureau for transmission to
8 the Legislative Commission; (3) authorizes the Lieutenant Governor to accept gifts,



9 grants or donations for the purpose of the Task Force; and (4) requires state and
10 local agencies, boards, commissions, departments and officers, employees and
11 agents thereof to assist the Task Force under certain circumstances.

12 **Section 20.6** of this bill requires the Attorney General to publish model policies
13 which provide guidance and training recommendations to state or local law
14 enforcement agencies. **Section 20.6** also requires each state or local law
15 enforcement agency to: (1) adopt policies that are consistent with the model
16 policies of the Attorney General; or (2) notify the Attorney General that the state or
17 local law enforcement agency is not adopting policies consistent with the model
18 policies.

19 Similarly, **section 20.9** of this bill requires the Attorney General to publish
20 model policies which provide recommendations to limit immigration enforcement
21 at public schools, institutions of higher education, certain health care facilities,
22 courthouses and other state and local governmental agencies. Additionally, **section**
23 **20.9** requires such entities to: (1) adopt policies consistent with the model policies
24 of the Attorney General; or (2) notify the Attorney General that the entity is not
25 adopting policies consistent with the model policies of the Attorney General.
26 **Section 20.9** also encourages certain other organizations to adopt policies
27 consistent with the model policies of the Attorney General.

28 **Section 26.5** of this bill makes an appropriation to the Immigration Clinic at the
29 William S. Boyd School of Law of the University of Nevada, Las Vegas, for the
30 purpose of providing pro bono legal services relating to immigration law.

1 WHEREAS, There is a thriving economy in this State which
2 encompasses a broad range of industries, including tourism,
3 hospitality, gaming, agriculture, construction, health care and
4 technology, which necessitates the need for a skilled workforce in
5 such industries to ensure the economic vitality of this State; and

6 WHEREAS, There are nearly 614,000 immigrants in this State,
7 which means that immigrants account for one in every five people in
8 this State and 26 percent of workers in this State; and

9 WHEREAS, There are approximately 33,731 immigrant
10 entrepreneurs in this State which means that 30 percent of
11 entrepreneurs in this State are immigrants; and

12 WHEREAS, Immigrant business owners have a large impact on
13 the economy of this State through innovation and the creation of
14 jobs, as such businesses employ approximately 61,196 people; and

15 WHEREAS, It is a vital interest of this State to ensure that
16 families are protected from undue harm and separation; and

17 WHEREAS, In recognition of the significant contribution of
18 immigrants to the overall prosperity and strength of this State, there
19 is a compelling interest in ensuring that this State remains a place
20 where the rights and dignity of all residents are maintained and
21 protected in order to keep this State working; now, therefore,



1 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
2 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
3

4 **Section 1.** (Deleted by amendment.)

5 **Sec. 2.** (Deleted by amendment.)

6 **Sec. 3.** (Deleted by amendment.)

7 **Sec. 4.** (Deleted by amendment.)

8 **Sec. 5.** (Deleted by amendment.)

9 **Sec. 6.** (Deleted by amendment.)

10 **Sec. 7.** (Deleted by amendment.)

11 **Sec. 8.** (Deleted by amendment.)

12 **Sec. 9.** (Deleted by amendment.)

13 **Sec. 10.** (Deleted by amendment.)

14 **Sec. 11.** (Deleted by amendment.)

15 **Sec. 12.** (Deleted by amendment.)

16 **Sec. 13.** (Deleted by amendment.)

17 **Sec. 14.** (Deleted by amendment.)

18 **Sec. 15.** Chapter 224 of NRS is hereby amended by adding
19 thereto the provisions set forth as sections 16 to 20, inclusive, of this
20 act.

21 **Sec. 16.** *Sections 16 to 20, inclusive, of this act may be cited*
22 *as the Keep Nevada Working Act.*

23 **Sec. 17.** *As used in sections 16 to 20, inclusive, of this act,*
24 *“Task Force” means the Keep Nevada Working Task Force*
25 *created by section 18 of this act.*

26 **Sec. 18. 1.** *The Keep Nevada Working Task Force is*
27 *hereby created within the Office of Lieutenant Governor.*

28 **2.** *The Task Force consists of:*

29 *(a) The Lieutenant Governor, or his or her designee;*

30 *(b) Seven members appointed by the Lieutenant Governor; and*

31 *(c) One member appointed jointly by the Governor and the*
32 *Office for New Americans.*

33 **3.** *Every member appointed to the Task Force shall represent*
34 *at least one of the following:*

35 *(a) An immigrant advocacy group;*

36 *(b) A professional association representing business;*

37 *(c) A labor organization with a statewide presence;*

38 *(d) A workforce or economic development interest;*

39 *(e) A bar association or like association of lawyers which is*
40 *involved in the advocacy of immigrants;*

41 *(f) A faith-based, nonprofit organization;*

42 *(g) An advocacy group which focuses on immigration and*
43 *criminal justice;*

44 *(h) An institution of higher education; or*

45 *(i) A state or local law enforcement agency.*



1 4. *The members of the Task Force shall serve terms of 3*
2 *years. A member may be reappointed to the Task Force and any*
3 *vacancy must be filled in the same manner as the original*
4 *appointment.*

5 5. *The members of the Task Force serve without*
6 *compensation.*

7 **Sec. 19.** 1. *At the first meeting of each fiscal year, the Task*
8 *Force shall elect from its members a Chair and a Vice Chair.*

9 2. *The Task Force shall meet at least once each quarter and*
10 *hold meetings at various locations throughout the State.*

11 3. *A majority of the members of the Task Force constitutes a*
12 *quorum for the transaction of business, and a majority of these*
13 *members present at the meeting is sufficient for any official action*
14 *taken by the Task Force.*

15 **Sec. 20.** 1. *The Task Force may:*

16 (a) *Develop strategies with private sector businesses, labor*
17 *organizations and immigrant advocacy groups to support current*
18 *and future industries across this State;*

19 (b) *Conduct research on methods to strengthen career*
20 *pathways for immigrants and create enhanced partnerships with*
21 *projected growth industries;*

22 (c) *Support the efforts of business leadership, civic groups,*
23 *government and immigrant advocacy groups to provide*
24 *predictability and stability to the workforce in this State;*

25 (d) *Recommend approaches to improve the ability of this State*
26 *to attract and retain immigrant business owners that provide new*
27 *business and trade opportunities; and*

28 (e) *Enter into a contract with a consultant to perform research*
29 *necessary to carry out the duties of the Task Force.*

30 2. *On or before July 1, 2022, and on or before July 1 of each*
31 *subsequent year, the Task Force shall submit a written report to*
32 *the Director of the Legislative Counsel Bureau for submission to*
33 *the Legislative Commission. The report must include, without*
34 *limitation, a summary of the work of the Task Force and any*
35 *recommendations for legislation.*

36 3. *The Lieutenant Governor may accept gifts, grants and*
37 *donations from any source for the purpose of carrying out the*
38 *provisions of sections 16 to 20, inclusive, of this act.*

39 4. *The Office of Lieutenant Governor shall provide*
40 *personnel, facilities, equipment, funding and supplies as required*
41 *by the Task Force to carry out its duties.*

42 5. *Each agency, board, commission, department, officer,*
43 *employee or agent of this State, or a political subdivision thereof,*
44 *shall provide the Task Force with such assistance as the Task*
45 *Force may reasonably require in discharging its duties.*



1 **Sec. 20.3.** Chapter 228 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 20.6 and 20.9 of this act.

3 **Sec. 20.6. 1.** *The Attorney General shall, in consultation*
4 *with relevant stakeholders and the Keep Nevada Working Task*
5 *Force created by section 18 of this act, publish model policies*
6 *which provide guidance and training recommendations to state or*
7 *local law enforcement agencies. The model policies must prioritize*
8 *guidance and training recommendations which:*

9 (i) *Foster trust between the community and state or local law*
10 *enforcement agencies; and*

11 (ii) *Limit, to the fullest extent practicable and consistent with*
12 *any applicable law, the engagement of state or local law*
13 *enforcement agencies with federal immigration authorities for the*
14 *purpose of immigration enforcement.*

15 2. *Each state or local law enforcement agency shall:*

16 (i) *Adopt policies consistent with the model policies of the*
17 *Attorney General published pursuant to subsection 1; or*

18 (ii) *Notify the Attorney General that the state or local law*
19 *enforcement agency is not adopting policies consistent with the*
20 *model policies of the Attorney General.*

21 3. *The notification described in paragraph (b) of subsection 2*
22 *must include, without limitation:*

23 (i) *The reason that the state or local law enforcement agency*
24 *is not adopting policies consistent with the model policies of the*
25 *Attorney General; and*

26 (ii) *A copy of the policies of the state or local law enforcement*
27 *agency.*

28 4. *As used in this section, "state or local law enforcement*
29 *agency" means"*

30 (i) *The sheriff's office of a county;*

31 (ii) *A metropolitan police department;*

32 (iii) *A police department of an incorporated city;*

33 (iv) *Any entity authorized to operate a prison, jail or detention*
34 *facility, including, without limitation, any facility for the detention*
35 *of juveniles;*

36 (v) *The Division of Parole and Probation of the Department of*
37 *Public Safety;*

38 (vi) *Any department of alternative sentencing; and*

39 (vii) *Any other state or local agency, office, bureau, department,*
40 *unit or division created by any statute, ordinance or rule which:*

41 (1) *Has a duty to enforce the law; and*

42 (2) *Employs any person upon whom some or all of the*
43 *powers of a peace officer are conferred pursuant to NRS 289.150*
44 *to 289.360, inclusive.*



1 **Sec. 20.9. 1.** *The Attorney General shall, in consultation*
2 *with relevant stakeholders and the Keep Nevada Working Task*
3 *Force created by section 18 of this act, publish model policies for*
4 *limiting, to the fullest extent possible and consistent with any*
5 *applicable law, immigration enforcement at public schools,*
6 *institutions of higher education, health care facilities and*
7 *courthouses to ensure that such places remain safe and accessible*
8 *to residents of this State regardless of the immigration status or*
9 *citizenship of such persons.*

10 **2.** *Each public school, institution of higher education, health*
11 *care facility and courthouse in this State shall:*

12 **(a)** *Adopt policies consistent with the model policies of the*
13 *Attorney General published pursuant to subsection 1; or*

14 **(b)** *Notify the Attorney General that the public school,*
15 *institution of higher education, health care facility or courthouse,*
16 *as applicable, is not adopting policies consistent with the model*
17 *policies of the Attorney General.*

18 **3.** *Any organization that provides services relating to physical*
19 *or mental health and wellness, education or access to justice is*
20 *encouraged to adopt policies consistent with the model policies of*
21 *the Attorney General published pursuant to subsection 1.*

22 **4.** *The notification described in paragraph (b) of subsection 2*
23 *must include, without limitation:*

24 **(a)** *The reason that the public school, institution of higher*
25 *education, health care facility or courthouse, as applicable, is not*
26 *adopting policies consistent with the model policies of the Attorney*
27 *General; and*

28 **(b)** *A copy of the policies of the public school, institution of*
29 *higher education, health care facility or courthouse, as applicable.*

30 **5.** *A policy adopted pursuant to this section must comply*
31 *with:*

32 **(a)** *Any applicable law;*

33 **(b)** *Any policy, grant, waiver or other requirement necessary to*
34 *maintain the funding of the public school, institution of higher*
35 *education, health care facility, courthouse or other organization,*
36 *as applicable; and*

37 **(c)** *Any agreement related to the operation and functions of*
38 *the public school, institution of higher education, health care*
39 *facility, courthouse or other organization, as applicable.*

40 **6.** *As used in this section:*

41 **(a)** *“Health care facility” means a facility licensed pursuant to*
42 *chapter 449 of NRS and which is operated by this State or a*
43 *political subdivision thereof.*

44 **(b)** *“Institution of higher education” has the meaning ascribed*
45 *to it in NRS 179D.045.*



1 (c) "Public school" means any school described in
2 NRS 388.020.

3 Sec. 21. (Deleted by amendment.)

4 Sec. 21.5. (Deleted by amendment.)

5 Sec. 22. (Deleted by amendment.)

6 Sec. 23. (Deleted by amendment.)

7 Sec. 24. (Deleted by amendment.)

8 Sec. 25. (Deleted by amendment.)

9 Sec. 26. (Deleted by amendment.)

10 Sec. 26.5. 1. There is hereby appropriated from the State
11 General Fund to the Immigration Clinic at the William S. Boyd
12 School of Law of the University of Nevada, Las Vegas, the sum of
13 \$500,000 for the purpose of providing pro bono legal services
14 relating to immigration law.

15 2. Any remaining balance of the appropriation made by
16 subsection 1 must not be committed for expenditure after June 30,
17 2023, by the entity to which the appropriation is made or any entity
18 to which money from the appropriation is granted or otherwise
19 transferred in any manner, and any portion of the appropriated
20 money remaining must not be spent for any purpose after
21 September 15, 2023, by either the entity to which the money was
22 appropriated or the entity to which the money was subsequently
23 granted or transferred, and must be reverted to the State General
24 Fund on or before September 15, 2023.

25 Sec. 27. The provisions of subsection 1 of NRS 218D.380 do
26 not apply to any provision of this act which adds or revises a
27 requirement to submit a report to the Legislature.

28 Sec. 28. (Deleted by amendment.)

29 Sec. 29. (Deleted by amendment.)

30 Sec. 30. 1. This section and section 26.5 of this act become
31 effective upon passage and approval.

32 2. Sections 15 to 20, inclusive, of this act become effective:

33 (a) Upon passage and approval for the purpose of appointing
34 members of the Keep Nevada Working Task Force created by
35 section 18 of this act and performing any preparatory administrative
36 tasks necessary to carry out the provisions of sections 15 to 20,
37 inclusive of this act; and

38 (b) On July 1, 2021, for all other purposes.

39 3. Sections 1 to 13, inclusive, and 20.3, 21, 21.5, 22, 25, 26,
40 27, 28 and 29 of this act become effective on July 1, 2021.

41 4. Sections 14, 20.6, 20.9 and 24 of this act become effective:

42 (a) On July 1, 2021, for the purpose of adopting model policies
43 and performing any other preparatory administrative tasks necessary
44 to carry out the provisions of sections 14, 20.6, 20.9 and 24 of this
45 act; and



- 1 (b) On July 1, 2022, for all other purposes.
2 5. Section 23 of this act becomes effective:
3 (a) On July 1, 2021, for the purposes of performing any
4 preparatory administrative tasks necessary to carry out the
5 provisions of section 23 of this act; and
6 (b) On October 1, 2021, for all other purposes.

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