AN ACT relating to public health; authorizing a business to designate a portion of the premises on which the business operates where certain restrictions to restrain the spread of COVID-19 do not apply; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law: (1) authorizes the Governor or Legislature to proclaim a state of emergency or issue a declaration of disaster; and (2) gives the Governor certain powers during a declared emergency or disaster. (NRS 414.070) Existing law also authorizes the Governor to declare a public health emergency or other health event. (NRS 439.970) This bill authorizes the operator of a business to designate a portion of the premises on which the business operates where: (1) only persons who have recovered from infection with COVID-19 or have been vaccinated for COVID-19 are authorized to enter; and (2) any restrictions imposed by a state or local governmental entity to restrain the spread of COVID-19, including restrictions prescribed by an emergency order or during a public health emergency or other health event, are not enforceable.
THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 439 of NRS is hereby amended by adding
thereto a new section to read as follows:

1. Notwithstanding any other provision of law, the operator
of a business may designate a portion of the premises on which the
business operates where:
   (a) Only persons who have recovered from infection with
   COVID-19 or have been vaccinated for COVID-19 are authorized
to enter; and
   (b) Any restrictions imposed by a state or local governmental
       entity to restrain the spread of COVID-19, including, without
       limitation, restrictions prescribed by an order issued under a state
       of emergency or declaration of disaster issued pursuant to NRS
       414.070 or during a public health emergency or other health event
       declared pursuant to NRS 439.970, are not enforceable.

2. An operator of a business who designates a portion of the
   premises on which the business operates for the purposes
described in subsection 1:
   (a) Shall not require an employee to enter the portion of the
       premises designated for the purposes described in subsection 1;
   (b) Is not required to confirm that persons entering the portion
       of the premises designated for the purposes described in
       subsection 1 meet the requirements prescribed by paragraph (a) of
       subsection 1;
   (c) Shall ensure that customers have adequate notice of the
       location of the portion of the premises which has been designated
       for the purposes described in subsection 1; and
   (d) Shall ensure that the portion of the business for which the
       restrictions described in paragraph (b) of subsection 1 remain
       enforceable is sufficient for customers who do not meet the
       requirements of paragraph (a) of subsection 1 to have access to
       the business.

3. Any order issued by a state or local governmental entity
   that conflicts with the provisions of this section is void to the
   extent of the conflict.

4. As used in this section, “COVID-19” means:
   (a) The novel coronavirus identified as SARS-CoV-2;
   (b) Any mutation of the novel coronavirus identified as SARS-
       CoV-2; or
   (c) A disease or health condition caused by the novel
       coronavirus identified as SARS-CoV-2.
Sec. 2. This act becomes effective upon passage and approval.