

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS**

**Eighty-Second Session  
March 22, 2023**

The Committee on Government Affairs was called to order by Chair Selena Torres at 8:09 a.m. on Wednesday, March 22, 2023, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/App/NELIS/REL/82nd2023](http://www.leg.state.nv.us/App/NELIS/REL/82nd2023).

**COMMITTEE MEMBERS PRESENT:**

Assemblywoman Selena Torres, Chair  
Assemblywoman Bea Duran, Vice Chair  
Assemblyman Max Carter  
Assemblyman Rich DeLong  
Assemblyman Reuben D'Silva  
Assemblywoman Cecelia González  
Assemblyman Bert Gurr  
Assemblyman Brian Hibbetts  
Assemblyman Gregory Koenig  
Assemblyman Richard McArthur  
Assemblyman Duy Nguyen  
Assemblywoman Angie Taylor  
Assemblywoman Clara Thomas

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

Assemblywoman Lesley E. Cohen, Assembly District No. 29  
Assemblywoman Danielle Gallant, Assembly District No. 23

**STAFF MEMBERS PRESENT:**

Jennifer Ruedy, Committee Policy Analyst  
Judi Bishop, Committee Manager

Minutes ID: 557



Dylan Small, Committee Secretary  
Cheryl Williams, Committee Assistant

**OTHERS PRESENT:**

Dora Martinez, Legislative Liaison, Nevada Council of the Blind  
Joel Snyder, President, Audio Description Associates LLC, Takoma Park, Maryland  
Myron Freedman, Administrator, Division of Museums and History, Department of  
Tourism and Cultural Affairs  
Kierra Capurro, representing Nevada Blind Children's Foundation  
Ashlee Cooper, Manager of Advocacy and Government Affairs, Opportunity Village  
Steven Cohen, Private Citizen, Las Vegas, Nevada  
Jeanine Mooers, Private Citizen, Reno, Nevada  
Lara Anonuevo-Hughes, Private Citizen, Sparks, Nevada  
Catherine Nielsen, Executive Director, Nevada Governor's Council on  
Developmental Disabilities, Department of Health and Human Services  
Tray Abney, representing National Federation of Independent Business  
Nick Schneider, Policy Analyst, Government Affairs, Vegas Chamber  
Jim Degraffenreid, National Committeeman, Nevada Republican Party  
Mike Cathcart, Business Operations Manager, Finance Department, City of  
Henderson  
Jennifer Berthiaume, Government Affairs Manager, Nevada Association of Counties  
Ashley Garza Kennedy, Principal Management Analyst, Government Affairs,  
Department of Administrative Services, Clark County  
Steve Walker, representing Storey County  
Wiz Rouzard, Deputy State Director, Americans for Prosperity-Nevada

**Chair Torres:**

[Roll was taken. Committee protocol was explained.] We will be taking the bills in order today. We are going to go ahead and start with [Assembly Bill 252](#), which revises provisions relating to governmental administration. I understand there might be someone joining us via phone. One moment, we are just going to make sure that individual is available. [The Committee recessed at 8:10 a.m. and reconvened at 8:14 a.m.] I am going to go ahead and open the hearing on [Assembly Bill 252](#).

**[Assembly Bill 252](#): Revises provisions relating to governmental administration.  
(BDR 33-150)**

**Assemblywoman Lesley E. Cohen, Assembly District No. 29:**

Presenting with me is Dora Martinez, with whom for several sessions I have worked on legislation that impacts Nevada's disability communities. Also joining us via phone is Joel Snyder of the American Council of the Blind.

Assembly Bill 252 came about from a couple of different places. First, Ms. Martinez asked if I would carry a bill for museum accessibility. Also, during the interim, our colleague, Assemblywoman Brown-May, held several roundtables with disability communities regarding possible legislation for this session. I was only able to attend two of those sessions, but museum accessibility was also raised as an issue during one of those roundtables. Originally, I thought this bill would be about audio descriptors, so that if a visually impaired person stood in front of a piece of art in a Nevada museum, they could hear a detailed description of the art. After conversations with Myron Freedman, the administrator from the Nevada Division of Museums and History who oversees the state's seven museums; and Daphne DeLeón, who is the administrative service officer from the Nevada Division of Museums and History; and also Catherine Nielsen, who is executive director of the Nevada Governor's Council on Developmental Disabilities, I think what we have come up with is a bill that has solid steps to make our museums more accessible. It also started an important conversation that can lead to Nevada's museums being more accessible for the visually impaired, as well as being more accessible for people with different types of disabilities in the state. With that, I am going to walk through the bill and give some more details about how we can make our museums more accessible for Nevadans with disabilities. Then, I will turn it over to Ms. Martinez and Mr. Snyder for some remarks.

Section 1 creates the Account for Improving Access to State Museums for Persons with Disabilities in the State General Fund, which will be administered by the administrator, and the money in the account can only be used to improve access to our state museums for people with disabilities as well. The administrator may accept gifts, grants, et cetera. The key that I would like to see with this is that the account will not revert back to the General Fund at the end of the fiscal year but will carry forward. Hopefully, in that way, if there are some big-ticket items, the museums will be able to save up and utilize it for something big.

Section 2 has to do with the Board of Museums and History which consists of 12 members appointed by the Governor. Five of these members are general public members who have knowledge about museums. Then, in subsection 2, the bill adds that one of those members must be a person with a disability, including, without limitation, a person who is blind or visually impaired.

Section 3, subsection 2, paragraph (a) is a duty for the administrator relating to developing and maintaining an Internet website related to the museums and historical societies that is accessible for persons who are blind or visually impaired. In working on the bill, we spoke with Catherine Nielsen, who is executive director of the Nevada Governor's Council on Developmental Disabilities. Director Nielsen and I discussed the possibility of making the website accessible to even more people with disabilities. For example, dyslexia is something that a website can help accommodate. She informed me that there are specialists who work for the state who have technical knowledge to assist the Division of Museums with that. I would like to discuss that with Administrator Freedman and Executive Director Nielsen and

possibly amend the bill to broaden that accessibility portion of the website. Section 3, subsection 2, paragraph (b) adds a duty for the administrator to consult with organizations that are dedicated to the welfare of persons who are blind or visually impaired regarding accessibility.

Section 4, subsection 2, paragraph (o) requires the administrator to establish procedures that enable the accessibility of exhibits for persons who are blind or visually impaired. This can be providing audio guides, tactile displays, dedicated tours, et cetera. This is another place where a conceptual amendment may be coming and we may include asking the Interim Legislative Committee on Seniors, Veterans and Adults with Special Needs to consider these issues over the interim and take a deep dive into what more we can be doing to accommodate people with special needs in our museums, for our museums to be more accessible so that everyone in Nevada can utilize and enjoy our museums. With that, I will turn it over to Ms. Dora Martinez.

**Dora Martinez, Legislative Liaison, Nevada Council of the Blind:**

I am here on behalf of my affiliate, the Nevada Council of the Blind. I hope Mr. Snyder is on the call with us because he is more of an expert. I am obviously a mom who is blind. It has been really difficult when my kids were growing up to go to the museums and not be able to see what was happening. My children would end up showing me and describing it to me. We kind of missed that. Though it was educational, it was not the same as the counterparts you may get when you go to the museum with your child. I think this bill is a good start. It is a very universal design. Thank you to Assemblywoman "Awesome" Cohen and terrific Director Nielsen. Nevadans want to include everybody. Going to the museum is a valuable education for everyone, not just for us blind folks, but for everybody in the state; not just for American Sign Language or dyslexia, but for people from other countries to come in and be able to see what we have to offer.

**Joel Snyder, President, Audio Description Associates LLC, Takoma Park, Maryland:**

I serve as the founder of and senior consultant to the audio description project of the American Council of the Blind. Audio description is all about the use of the spoken word; words that are succinct, vivid, and imaginative, which convey the visual image that is not otherwise accessible to a significant segment of the population. New estimates by the American Foundation for the Blind put that number at over 32 million Americans who are blind or have difficulty seeing, even with correction. That is 8 percent of America's population, which amounts to about 250,000 Nevadans. Add to that their friends, their family, people on the autism spectrum, people with attention deficit hyperactivity disorder, and language learners—anyone who cannot access the visual. Maybe you are in the wrong room for television. I oftentimes say, It is great as a sighted person. If you are making a sandwich in the kitchen, you do not miss a beat of what is on the television in the other room. Even sighted people see, but you know, they do not always observe.

Over the last four decades, I have provided audio description for thousands of live performing arts events, feature films, national television broadcasts, and dozens of museums. Audio description translates visual images to this sense form that is accessible for someone

who cannot see or cannot see well. Using these audio description techniques for static images, exhibitions, museum docents with training in audio description find they develop better use of language and have more expressive, more vivid, and more imaginative museum tours that are greatly appreciated by all visitors. Recorded audio-described tours combined with directional information enable visitors who are blind to use a smartphone or a simple handheld audio player to tour at least a portion of the museum independently and with new access to the visual elements of an exhibition.

In closing, I have a true story for you. A blind fellow was once visiting a museum with some friends and a sighted person had the temerity to come up to him and asked, "Excuse me, but what are you doing in a museum? You cannot see any of the exhibits." His response was, "I am here for the same reason anyone goes to a museum: I want to learn; I want to know and be a part of our culture." His inability to see should not deny him access to our culture. I believe it is the responsibility of all arts institutions, all public institutions to be as inclusive as possible. There simply is no good reason why a person with a particular disability must also be culturally disadvantaged. I urge you to pass Assembly Bill 252.

**Chair Torres:**

Members, are there any questions?

**Assemblyman Nguyen:**

I heard Ms. Martinez and Dr. Snyder say several times regarding language access that it is a different way of being able to experience a museum. I know the bill requires audio descriptions of different things in the museum. In the current process, if folks need an audio language guide, do they have the ability to ask for multiple languages if they do not speak English? If there currently is not, are we planning to add other languages in this particular bill as well?

**Myron Freedman, Administrator, Division of Museums and History, Department of Tourism and Cultural Affairs:**

In some cases, we do have Spanish language available. We would aspire to have multiple languages available. This bill is focused on accessibility for those with disabilities. I am not saying these are two separate things, but I could not speak directly to whether, as we approach this, we are going to be able to package it all together and get all of this done, or if we want to look at the question of additional translations to be an ongoing part of our efforts to increase accessibility in the museum. That is something we are always focused on. We do not always have the resources to pursue those things, but that is certainly a goal.

**Assemblywoman Cohen:**

I did speak to Executive Director Nielsen. When we were talking about the website and the capabilities we already have within the state, there are some language capabilities for the website in the state. Hopefully that will be something that we will be able to accomplish.

**Assemblyman Nguyen:**

I would encourage that, if we are already looking at descriptive language for this particular purpose, and maybe if it is a cost issue, we can look into adding on to that in the future, because if we have visually impaired folks that only speak languages other than English, as our diverse population grows, I would think this would be a natural next step. I would encourage the bill's sponsors to look into that as well.

**Assemblywoman Taylor:**

Thank you for the presentation, and thank you for this. This is really important. I was going through the fiscal note, and I actually missed the first part of it because I did not see where it continues. You are looking for a onetime appropriation for this? I see the \$25,000. They did not say that continues on. Help me understand that.

**Myron Freedman:**

That is a onetime expenditure to develop the website. There will be costs further down the road. Once we complete our study with the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs and with the Governor's Council on Developmental Disabilities, there are going to be recommendations. It is going to take time to go through those recommendations and develop the plan. That plan will have costs associated with it. The bill suggests or directs that we will fundraise to cover that. I think there may be some costs in there that the state would like to see implemented sooner than later, so we may be back for additional requests, but that onetime cost is to get the website. It is a fund to get the website constructed.

**Assemblywoman Taylor:**

We are a policy committee, so for us it is whether or not we think it is a good idea and want to pass it. I was just curious, and I did not see that.

**Assemblywoman Thomas:**

I would like to know if you could help me visualize the future of this bill enacted for our blind and impaired citizens of the state. In New York, when you go to the Museum of Modern Art, you can press a button and that button will start giving you an audio description of whatever you are standing in front of. Will that be something our museums will enact through this bill?

**Assemblywoman Cohen:**

One of the things Administrator Freedman mentioned to me when we were talking about the bill is that our museums are a little different. I think when most of us think of museums, we think of fine art museums like you think of in New York. Our state museums in Nevada are not exactly like that. I do not know if that is going to be what this ultimately is, because that is not exactly what our displays are. We have got some solid steps now with the website, with starting the account, with getting this committee, and getting this hopefully in front of seniors, veterans, adults with special needs so that we can start things now, but also start

having those conversations and moving toward more accessibility for the visually impaired community and also other communities that have accessibility needs in our state. This is just the beginning, and then we will continue to work on this with our museums to move forward and make our museums much more accessible for everyone in the state.

**Joel Snyder:**

That is an excellent question about being able to press the button and hear background information about a particular exhibit. That is what we oftentimes refer to as a simple audio tour. Many museums have them to give you background information. Perhaps it is even the director voicing the material. With an audio-described tour, you really can do both in one. You can have information combined with a very succinct, very vivid description of visual elements that can be helpful to sighted people as well as people who are blind or have low vision or, as I mentioned, others with autism, attention deficit hyperactivity disorder, people learning other languages, et cetera.

In response to the other question, this could all be available in Spanish. It can be available in other languages as well. Perhaps one way to go is combining what you get in a traditional audio tour with an audio description. You serve all populations with one tour.

**Assemblywoman Duran:**

I think it is very important that all our populations and communities have access to the museums and everything else that we offer too. My question is, are there other states that are working on this? Is there a model out there? Especially with modern technology always advancing, is there something we are going to look at?

**Myron Freedman:**

Yes, museums are utilizing wonderful technologies and techniques to get this implemented into their exhibits. I am sure Dr. Snyder has worked with some of these museums and probably has some firsthand experience with just how far they have gone with technology to help with this. It will be a matter of study for our museums, and then it will be a matter of cost.

**Chair Torres:**

I do have a quick question. Obviously, this is not the finance committee, so I do not mean to look into that, but I do notice in section 1 of the legislation, we are creating the Account for Improving Access to State Museums for Persons with Disabilities. My understanding right now, based off the language of the bill, is there is no appropriation. Is the intent of the bill to allocate an appropriation this cycle, or is the intent just to create this account and leave it open and then have them able to receive those gifts and donations available at that time?

**Assemblywoman Cohen:**

It is to open the account and to get the gifts, grants, that type of thing. Certainly, if an appropriation were available, I would take it, but we know what happens in the Ways and Means Committee. I did not want to risk the chance of having any issues with the bill. As I said, I think this is the beginning of the conversation and getting work done and then

maybe, in a couple of years, we can come back and see what we have accomplished and then get an appropriation and go from there. There is some money out there for grants, that type of thing. I think there is a way to get some things done in this situation, even if we are not asking for an appropriation at this time.

**Chair Torres:**

Who would manage this account or who is going to oversee it? [Assemblywoman Cohen gestured towards Administrator Freedman.] Okay, so it would be the administrator. I definitely would urge you upon passage of this legislation that there would be some conversations with our fellow federal delegation. I know there are some federal funds as well as Nevada GrantLab, which hopefully is working as it is designed to assist our state agencies as well as local community organizations with getting some of those grants. Members, any additional questions? [There were none.] At this time, we will go ahead and invite anyone wishing to testify in support of A.B. 252.

**Kierra Capurro, representing Nevada Blind Children's Foundation:**

Just last week, we had some of our teenagers come in from the foundation and they were introduced on the Assembly and Senate floors. When they went to the Nevada State Museum, there were very few displays that they could really appreciate. Many of those who are determined to be blind do have a small amount of vision. When everything is behind glass, there is a glare on the glass, and they cannot see through it. Some of them have very thick glasses or use magnifying glasses in order to see, and the glare disrupts that. That is just for the bill's sponsors' knowledge as they go further. Also, for our Committee's knowledge, Nevada is one out of seven states in the country without a school for the blind, putting us below the standard. When serving the blind community in this state, there is so much else we could do, from keeping our sighted community informed on how we keep the visually impaired community safe when driving, to providing them more tools to improve their learning in schools. This is a needed step for Nevada, and I urge your support of this bill.

**Ashlee Cooper, Manager of Advocacy and Government Affairs, Opportunity Village:**

We are happy to support this bill.

**Steven Cohen, Private Citizen, Las Vegas, Nevada:**

I will keep it short and sweet. Ditto.

**Jeanine Mooers, Private Citizen, Reno, Nevada:**

I am from the northern Nevada chapter of the National Federation of the Blind. I just wanted to register my support for A.B. 252 and echo what Ms. Martinez and Dr. Snyder have said about this bill. I think it is very important that people who are blind or visually impaired have access to the same information about exhibits and other services that museums have to offer as sighted, nondisabled individuals.



**Lara Anonuevo-Hughes, Private Citizen, Sparks, Nevada:**

I am nine years old. My mom is totally blind, and I love her. It would be really wonderful if there were accessible museums available. I would like my mom to enjoy and understand what is being shown in the museum. She homeschools me, and visiting educational places like this would be a great way to add to my learning. I want her to know what is going on around her. This will also be a great way to bond with her. This will also help those kids who are younger than me that cannot read yet. Having accessible museums will help the younger kids understand too. Please support this bill.

**Chair Torres:**

At this time, I will invite anyone wishing to testify in opposition to A.B. 252? [There was no one.] Is there anyone wishing to testify in neutral to A.B. 252?

**Catherine Nielsen, Executive Director, Nevada Governor's Council on Developmental Disabilities, Department of Health and Human Services:**

One crucial component of complying with this priority entails accessibility of electronic data and information which meets the requirements of the Americans with Disabilities Act (ADA) as well as the Rehabilitation Act of 1973. This would not only include people with visual impairments but many others with accessibility needs who will also benefit from the same changes. When a website is accessible, it can assist others such as those with disabilities such as dyslexia and other language access needs, which was mentioned earlier. The ADA is considered to be the first lawful affirmation of equal treatment of Americans with mental and physical disabilities. The ADA prohibits discrimination against people with disabilities in employment, government services, public accommodations, commercial facilities, education, and other areas of society. In 1998, Congress amended the Rehabilitation Act to require federal agencies to make their electronic and information technology accessible to people with disabilities. This includes any federal agencies or agencies receiving federal funds when they develop, procure, maintain, or use electronic and information technology. Under Section 508 of the Rehabilitation Act, agencies must give disabled employees and members of the public access to information comparable to the access available to others. If you look at our website, nevadadddcouncil.org, we have a toolbar which is considered an overlay for our website that helps increase accessibility. Recite Me is just one example of the accessibility tools already available. If you are addressing accessibility, we should address universal accessibility. At the same time, creating access for one group of individuals can help open doors to create access for all individuals. By making the change to Nevada law, you will be increasing and strengthening the efforts of the ADA and the Rehabilitation Act, which in turn would increase access to all Nevadans with disabilities.

**Chair Torres:**

Is there anyone else wishing to testify in neutral here in Carson City? [There was no one.] At this time, I will invite the bill sponsor for additional closing remarks.

**Assemblywoman Cohen:**

I want to share how awesome Ms. Martinez is. I think this is the fifth bill we have worked on together in the Legislature, and most of the bills have been pretty serious. We have worked

on voting accessibility for people who are disabled. We have worked on making sure people who are disabled do not lose their children, do not have them taken by the state simply because of the fact they are disabled. This bill is a little lighter for us, but it is important for people who are disabled to have access to the services provided by the state. These museums are our state-run museums. It is very important for everyone in our state to be able to access these museums and participate in our community in Nevada.

**Chair Torres:**

At this time, I will go ahead and close the hearing on A.B. 252. [The Committee recessed at 8:49 a.m. and reconvened at 8:52 a.m.] We have four bill draft requests (BDRs) that we are going to introduce today.

We have BDR 23-401, which revises provisions relating to public employees.

**BDR 23-401**—Revises provisions relating to public employees. (Later introduced as [Assembly Bill 377](#).)

We have bill draft request 20-976, which revises provisions concerning the confidentiality of certain personal information of certain persons.

**BDR 20-976**—Revises provisions concerning the confidentiality of certain personal information of certain persons. (Later introduced as [Assembly Bill 379](#).)

We have bill draft request 23-1050, which revises provisions governing collective bargaining.

**BDR 23-1050**—Revises provisions governing collective bargaining. (Later introduced as [Assembly Bill 378](#).)

We have bill draft request 23-1053, which establishes provisions governing paid family leave for certain state employees.

**BDR 23-1053**—Establishes provisions governing paid family leave for certain state employees. (Later introduced as [Assembly Bill 376](#).)

At this time, I will entertain a motion to introduce the bill draft requests.

ASSEMBLYMAN NGUYEN MOVED TO INTRODUCE BDR 23-401,  
BDR 20-976, BDR 23-1050, AND BDR 23-1053.

ASSEMBLYWOMAN GONZÁLEZ SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

We will go ahead and open the hearing on Assembly Bill 314.

**Assembly Bill 314: Revises provisions governing the regulation of home-based businesses by counties, cities and towns. (BDR 20-772)**

**Assemblywoman Danielle Gallant, Assembly District No. 23:**

Many of us introduce legislation that is personal to us in some way. Today I am going to share a very personal story about why Assembly Bill 314 is so important to me. My dad worked from home for most of my life, and I cannot help but think it probably saved my life. In the nineties, bullying was not very prevalent or talked about, but it did happen, and it happened to me. During junior high, I was bullied because my dad was Jewish and Brooklyn and brash, and growing up in suburban California, he did not really fit the mold. They made fun of his nose. They made fun of my nose. They made fun of pretty much anything they could find, and the bullying became so bad that I had to switch schools. It was a pretty lonely time for a teenager, but I cannot help but think that if my dad was not home every day to pick me up from school, to talk to me about the angst of teenage years, as well as the bullying that I was being subjected to, I fear that I would not be here today presenting before you. I worry that if I had come home to an empty house alone with my own thoughts, that it would have gone down a very dark road and ended in a way that we hear about all too often in the news today. Gratefully, I can say I was not alone. I was reminded every day by my dad I was loved and relevant, and I had a purpose. His support helped me to build up the courage and the strength to work through this painful experience and grow into the woman I am today.

I have carried on that same tradition in our family as well. I work from home so I can be home when the boys get home from school. They are 7 and 11 right now. I am able to see their mood when they walk through the door, review their homework, make them a snack, and hear about their day. As they get older, I know my presence is going to be even more important to help celebrate their wins and mend broken hearts. The point is, I will be home for them and be present for them when they need me most. I am going to hand this over to my esteemed colleague, Assemblywoman Taylor, to discuss the growing prevalence of home-based businesses and why this is so important to furthering the diversity of our economic workforce and preserving the way of life that so many of us have become accustomed to.

**Assemblywoman Angie Taylor, Assembly District No. 27:**

My colleague from District 23's father was a bit of a pioneer in the nineties, because working from home was not as prevalent as it is today. Many of us do that. I work from home. The Small Business Administration estimates about half of America's 30 million or so businesses are home-based. That is a lot. That is 15 million. COVID-19 really changed that. Maybe the silver lining that emerged from the pandemic was, as a result of COVID-19, the share of Americans working from home has almost doubled in 2020 to 42 percent. Since then, what started as a necessity has turned out to be a strong preference for many Americans who prefer to live and work at home.

Home-based businesses provide many economic and lifestyle advantages over traditional work. They can provide primary household income, supplemental income, and backup income. That is the side hustle, the side gig, all those things that we know about, right? They can allow people to care for their children, and in my case to care for my aging mom who has dementia. It allows me to be home when I am home, to avoid the cost and hassle of the daily commute; to be there reducing the burden and also reducing my carbon footprint.

According to a 2022 Institute for Justice survey, 1,902 home-based entrepreneurs, over half of all home-based entrepreneurs, are women. Among the small businesses in the United States, 31 percent of the respondents listed having a disability as one of the reasons for starting their business at home. Americans are finding that working from home balances the responsibility that they have to their work and also to their families.

As with anything, when it becomes more prevalent, government regulation seems to follow soon after. In a state like Nevada, it can vary across the board, from county to county and municipality to municipality. Assembly Bill 314 strives to be ahead of the curve, to streamline the guidelines and protect those who want and need to work from home for their health or the well-being of their family or even their business needs and livelihood.

Now, just before I go over the bill, a little bit of a personal story: I have actually been working from home since 2007. My mom was not living with me then, but it was because of the business that I was in. We travel a lot, and we all had our businesses at home. I acquired that business, so it kind of became our home base for our business. That really turned out to be a blessing because as my mom moved in with me and we began to see her mental decline, it was important for me to be able to be at home. I am able to be here now because I have a friend who goes over to my house every day and stays with my mom. She brings her laptop and works from my home to be there with her.

There are three major components to this bill governing counties, cities, and towns, and the language across all of them is uniform. When I take you through the bill, we will talk about section 1, but it is the same throughout—again, counties, cities, and then they are called town boards. In the existing legislation, the language is uniform. On page 2, section 1, it talks about how this is for the board of county commissioners, cities, town boards, and municipalities. It says that they shall not adopt or enforce ordinances that prohibit a home-based business from operating in an area that is zoned for residential, so if you can have your house there, you can have your home-based business there. It does regulate the home business. There are some guardrails, as there should be. It regulates the home business in a manner that is a little bit different from other businesses. It cannot regulate a home business any differently than it regulates another business just because they are in the home. Those municipalities or county boards cannot impose a tax on a home-based business that has not already been imposed on an equivalent business that is not home-based, and it may not adopt any ordinances that are not in alignment with other businesses. It does require a home-based business to comply with all the local zoning requirements. It regulates the use of vehicles and trailers and so on in those neighborhoods on the right of way. It also requires any kind of external modification made to a residential dwelling unit to be in conformity with

the residential character and architectural aesthetics of the neighborhood. It also prohibits the home-based business from conducting retail transactions at the structure that is not the main dwelling unit, so you cannot just pop up something in the parking lot at your apartment complex and then start doing your home-based business from there. It also subjects a home-based business to any relevant federal, state, or local laws that apply to that residential property. Any person who is adversely affected by enforcement may file suit. There is a remedy for them. Nothing in section 4 shall be construed to supersede or preempt the governing documents of a common-interest community: your covenants, conditions, and restrictions, your deed restrictions, any federal, state, or local laws governing transient lodging—none of it supersedes any of those regulations.

It also gives the definition of a home-based business to make that clear. It is a business that operates in whole or in part from a residential property in which not more than two employees or two independent contractors of the home-based business do not reside. Also, the use of the property as a home-based business is the secondary use. The primary use of this still needs to be your residential area. Those are really the high points of A.B. 314.

**Assemblywoman Gallant:**

Just on a side note, I have sat down with stakeholders, and they have shared some concerns. We had a meeting the other day and discussed a friendly amendment. However, later in the evening last night, I received an amendment, and their proposed changes defeated the intent of the bill. It is not something we have come to an agreement with yet. However, we are still working and talking with stakeholders, and we are committed to finding some common ground and continuing to work together on this.

**Assemblyman Koenig:**

A year ago, I was a sitting county commissioner. I looked through that, and do not know that we were doing anything that you did not like. What I want to know is what specific problems are you trying to solve, and are there abuses and ordinances in other counties that I am not aware of that are hindering home businesses? What exact problems are you trying to solve? I can read what the bill says, but what specific problems are out there that you are trying to solve?

**Assemblywoman Gallant:**

Particularly in a place like Clark County, we are all sort of meshed together. We have got Henderson, Las Vegas, North Las Vegas, and then we have Clark County on top of that. There can be a lot of different rules that we all have to follow. The idea here is to make sure that we streamline this and do protect home-based businesses. There have been some cases where some townships, not necessarily in Nevada, but there have been some cases in Florida where they tried to prohibit home-based businesses, which is actually where this bill came from. As I have delved into this even more, there are some ordinances that are really just not even enforceable, particularly in Henderson. It says you cannot have an employee come and work from your home, which I found kind of shocking as we were moving forward through this process. Obviously, we do not want to have 15 employees showing up to a house and working from home, but there are a lot of us that do need to work from home and

do have one employee. I even wonder, what about the full-time nanny or the housekeeper? Is that now not allowed either? I think this is just an effort to preempt any more and further regulations that would make this harder for home-based businesses. To a certain degree we are all in the shadows. Probably every single one of us works from home. Even as Assembly members, we are all working from home, particularly in Las Vegas because we do not have offices there. We have our mailing address someplace else, but we are technically working from home. What if somebody said, I am so sorry, your campaign manager or your communications director cannot come over and help you work. That would really pose a problem for all of us down the road.

**Assemblyman Koenig:**

So, this is more just preventative? There is not a lot of abuses as far as you can tell right now. You are just preparing so it does not happen in the future?

**Assemblywoman Gallant:**

Is that a question or comment?

**Assemblyman Koenig:**

"So it does not happen in the future"? Yes, that would be a question.

**Assemblywoman Gallant:**

Yes, to an extent. We have seen this as things can become more prevalent. Government likes to regulate. Sometimes it is better to get ahead of it before it snowballs out of control.

**Assemblyman Carter:**

Assemblyman Koenig took part of my question away, but I want to follow up with that. You say that we do not want to create regulation. But is not this bill just regulating from the top? I have not heard anything that brings to light the need to bring the heavy hammer of the state down and control our locally elected county boards, town boards, the community-based organizations—the lowest level of government that knows what the community wants. I do not see that, because most of everything you just listed was not a home-based business. It was working from home. Two totally different things. The piece that I am curious about is, if this is needed for publicly-based community governments, why is it not appropriate in common-interest communities? So, if you are not rich enough to live in a homeowners' association (HOA), the state should say you cannot take and regulate commerce within your own residential communities. Is that what it is saying?

**Assemblywoman Gallant:**

No, that is not what it is saying. This is giving a very broad ability for people to work from home and have home-based businesses. This does not supersede common-interest communities. It does not supersede the restrictions and ordinances of the various local municipalities. Essentially, at the very crux of this, this just says that no governing body can actually prohibit it, but they can do regulations to minimize any impact that it would have on changing the landscape and the characteristics of a residential community.

**Assemblyman Carter:**

So, what you are saying is we need big regulation from the state because we cannot trust our community-based elected officials.

**Assemblywoman Gallant:**

That is not what I was saying.

**Assemblywoman González:**

I wanted to dovetail off my colleague's comment about the difference between working from home and having a home-based business. I think there is a difference there. I just wanted to get that clarified on the record. My working from home for the state is not my having my own business, right? There is just some nuance and language there, and I wanted that clarified please.

**Assemblywoman Taylor:**

I think that the intention of this, and there is a very clear distinction, is for home-based businesses. You can have your office in your home because a lot of people do that, more so now anyway. As I said in my comments, the intention of this is not to prohibit people from having a home-based business. In response to Assemblyman Carter's questions, the idea is to have an overarching policy that says you cannot prohibit people from having a home-based business. If any local municipality, city council township, county commission, governing board wants to put some regulation within that, they certainly can because these are the broad guardrails. It is really about the preventative piece, which goes back to Assemblyman Koenig's question. The preventive piece says you cannot say someone cannot have a home-based business with restrictions. That is the intention. It is not about people working from home because some people do have a hybrid situation now with COVID-19 and so on. This is not intended for someone who does that. All this is for someone who actually operates their business from their home. I operate my business from my home.

**Assemblywoman González:**

Are there any examples recently of the state, counties, or municipalities telling people they cannot have home-operated businesses?

**Assemblywoman Gallant:**

I have not heard of any in Nevada. The concern was we have seen this in Florida, and we just wanted to make sure that we would protect that here in Nevada, considering the fact that we do have a huge population of minorities, women that really do work from home and balance this work/family life. Most of my friends work from home, so I know it has become more prevalent, and I just wanted to make sure that we did not have to fight for it down the road.

**Assemblywoman González:**

Again, I wanted to clarify the difference between working from home and having a home-based business for the record, because those are two different things. As to my last question, under the definition of a home-based business, it talks about having one or two more

employees. In section 4, subsection 5, paragraph (a) it says, "Not more than two employees or independent contractors." Is there a number on the independent contractors? Why is it one to two employees? If there are any home-based businesses that have more than those, where do they fall?

**Assemblywoman Gallant:**

Section 4, subsection 5, paragraph (a), which talks about the definition of a home-based business, is from a residential property. What that section is saying is, no more than two employees or independent contractors, so two employees or two independent contractors of the home-based business cannot reside in the home, not including an employee who solely performs remote work. The idea is you do not want to have a bunch of employees living at the residence, kind of like what Elon Musk is doing at Twitter right now. They just got on him for having all the employees sleeping in the building. The idea was to make sure that those employees go to their respective homes and that they are not living in the property. If you have employees living in the property, then that would sort of negate the fact that part of the definition is the primary use of that property would be residential, not a home-based business.

In particular, I run my business from my house, but I choose to have a post office (P.O.) box for a mailing address. According to the state, it looks like I have got this P.O. box and some kind of brick and mortar. It is almost like working in the shadows a little bit. I know that there are a lot of people working from home in home-based businesses that are doing that as well. It would just be better if we could all come out of the shadows and be open.

**Assemblywoman Duran:**

That raises concerns with me just now that you are saying "contractors" with that, because there are a lot of different contractors out there. What are the hours of operation going to be, because some people run businesses in the evening or 24 hours. Las Vegas is a 24-hour city. What kind of businesses are you trying to help? Do they protect local ordinances, and would the jurisdictions be able to regulate those?

**Assemblywoman Gallant:**

It was independent contractors, so those are 1099s. It is not talking about contractors. My husband is a general contractor and if he ran his business out of our house, I probably would not be married to him today. If you take a look at section 1, subsection 2, as well as section 4, subsection 2, and section 6, subsection 2, it talks about how the board of county commissioners or the townships or the various cities can adopt ordinances that require home-based businesses to comply with local zoning requirements. They can regulate the use of trailers, parking, storage, and external modifications to the homes. Those local ordinances can still create regulations in order to monitor and regulate so it is not abused.

**Assemblywoman Duran:**

I just want to understand this. You have 1099s. For example, I am going to use a hairstylist or a nail technician. Who is going to monitor those people? You are going to need chairs and you are going to need somewhere to do this. Is that not them, because they are



independent contractors as well. I am trying to ask you what kind of businesses, because who is going to regulate those? You have to follow safety, you have to have OSHA, you have to have all that in there. I am trying to understand, is there a certain type of business you are trying to protect here?

**Assemblywoman Gallant:**

Most likely, Assemblywoman Taylor and I do not have a lot of clients coming in and out of our house. This is something where we have become very, very virtual in terms of how we operate our businesses. As for hairstylists and nail salons, I honestly could not even imagine that they would want to have clients in and out of the house. It is definitely a good question and something that we can explore further.

**Chair Torres:**

Yes, and to clarify, that is already being done. That is already allowed and permitted, per my conversations with local governments. There are many people that operate those types of businesses out of their homes, but I do think this could expand that impact too. I do want to go over to Mrs. Ruedy, our policy analyst, as well. She was in contact with our Legal Division regarding questions on the applicability of this bill to HOAs.

**Jennifer Ruedy, Committee Policy Analyst:**

This is Jennifer Ruedy, not your committee counsel. Repeating what Committee counsel Asher Killian has just messaged me, the definition of home-based business in the bill is in section 1, subsection 5, and it depends on whether the property is residential property since HOAs are entities that exist on properties that are zoned as residential, and there is no exclusion in the bill for residential properties in an HOA. The bill would require local governments to allow home-based businesses to be conducted in HOAs. There is nothing in the bill that would prohibit an HOA itself from prohibiting home-based businesses though, as long as such a restriction is not prohibited by the deed restrictions that created the HOA.

**Chair Torres:**

To clarify just for Committee members because I had a chance to look over that, this means that you could still have an HOA create policies that prevent that. To Assemblyman Carter's point, this would allow for one set of rules for HOAs and one set of rules for residential neighborhoods like mine, which is not a part of an HOA.

**Assemblywoman Gallant:**

Interesting.

**Assemblywoman Thomas:**

Just so that I understand this concept that you want to impose on our state, as far as regulating home-based businesses, I have a tax company, and instead of having a brick-and-mortar building, I actually operate it from home. I have a couple of employees there, but I have a steady flow of people coming to my home, which could be annoying, as far as parking and all of that. This could be annoying to the community that I live in. This

bill you are proposing would affect that business because now I have complaints coming from the residents in my community. How does local government regulate something the state has said they want to enact?

**Assemblywoman Taylor:**

The intention is not to impact a business such as that. I do not see where this bill would prohibit your business as you have described it from continuing on. It does not say that you cannot have people come or anything. That was an example that Assemblywoman Gallant used because in our businesses, we typically do not. The bill does not prohibit that. It should not have an impact on your business as described.

**Assemblywoman Thomas:**

So, when we as regulators tell the community they can have this bill, in a community that probably would be annoyed with all the foot traffic, we are saying our local government may choose to restrict my home-based business because that is what you are saying in here, that local government "may."

**Assemblywoman Gallant:**

Currently they can and do now. This bill does not prohibit them or give them license; they are already doing it. If one of your neighbors wanted to complain, they could complain to the city about it. There are multiple ordinances in Las Vegas, North Las Vegas, and Henderson that do regulate home-based businesses.

**Assemblyman Thomas:**

Just so that I understand, then why the bill?

**Assemblywoman Gallant:**

To ensure that those local businesses cannot take it away completely because at this point, they could prohibit all home-based businesses.

**Assemblywoman Thomas:**

Just so that I really, really, truly understand this, you are asking the state government to negate local government. That is what this bill is doing. You are saying that local government cannot regulate home-based businesses, but they already do.

**Assemblywoman Gallant:**

This bill says local governments cannot prohibit home-based businesses but can regulate it within these parameters. Right now, there is nothing that says those local governments cannot prohibit home-based businesses. It is a protection for somebody like you and me and Assemblywoman Taylor to ensure we can continue to have our home-based businesses.

**Chair Torres:**

To clarify and build off of Assemblywoman Thomas' question too, I think that she is focusing too specifically on zoning. I think this would really expand the current regulations. This would allow for mechanic shops to operate in our homes. This would allow for those

businesses to take place without any type of zoning as well. I know that similar policies exist in California. I think this is a bigger conversation about whether or not this is something we want to do. There are areas like San Diego and Los Angeles, where you have a house and a salon and an office all in the same complex. We must ask whether or not that is the direction the state wants to move in at this time. Members, any additional questions?

**Assemblyman D'Silva:**

Page 3 highlights some caps here on employees and independent contractors. In my part of Las Vegas, and I know possibly Assemblywoman Duran and Assemblyman Carter may be able to speak on this, there is an economy that is based at home. For several businesses, a significant amount of their household income comes from home-based operations. I am not talking about businesses that are causing disturbances or where there is a conflict with health regulators, just to give an example.

This is why I want to bring this back to a familial sort of a concept. Hopefully you can consider maybe adding some language here that highlights families in this legislation. My tailor runs an operation from home. There are about four people involved: a mother, her sister, and two children. They operate a small tailor operation out of their garage. Salons, cosmetologists, multiple individuals, all from the same family, not contractors or folks who are serving as some sort of outside help—these are families. I think there is some merit in this idea. Maybe there should be some language there that specifically looks at or maybe protects family-based operations that are not causing any kind of disturbance. We are talking about the mechanic operation out of your front yard or something of that nature. Maybe you will highlight those sorts of businesses, which I think are important to consider here in this sort of legislation.

**Assemblywoman Taylor:**

I will respond to that. One of the things you said that got my attention was, what about a family who runs a business together? It may be more than two people that live in the home, but they run the business together. That is certainly something to consider because that can happen. Certainly, that can happen. Additionally, I will just remind all of us, if someone has the mechanics, which no one wants in their neighborhood—no one wants cars on blocks and all that stuff out front there, no matter where you live—but if there is nothing in the neighborhood that prohibits that, they can already do it. This does not say, Oh, now I can go do it. They can already do it.

**Assemblywoman Gallant:**

There actually are ordinances that prohibit people from working on their cars in neighborhoods. You guys know I am in property management, so I have had plenty of tenants attempt to try to fix their car in the condominium parking lot or in front of their house and we definitely get notices and address that immediately.

**Chair Torres:**

If we can have the Legal Division give us some clarification on whether or not this would prevent that, because my understanding from conversations with local governments is that would still prevent those type of regulations. That is my conversation directly from local governments, so I just want clarification from the Legal Division.

**Assemblyman DeLong:**

I guess my takeaway on this bill is it is just preventing local governments from prohibiting home businesses. It is not changing the type of regulations they currently can do or can do in the future. Is that a correct assessment?

**Assemblywoman Gallant:**

Yes, that is a correct assumption and is the intent of this bill. If the Legal Division comes back with something different, that would be something we would definitely want to amend in order to preserve the intent of this bill.

**Chair Torres:**

I am sure we will have a response from Legal by the time we come up for closing remarks. I will make sure that we add that in. I will invite anyone wishing to testify in support for A.B. 314.

**Tray Abney, representing National Federation of Independent Business:**

I am here today representing the over 2,000 Nevada member businesses of NFIB, the National Federation of Independent Business. As far as we can tell, we have at least 150 home-based businesses in that membership. You are looking at the co-owner of a home-based business. I work out of my home, and the business is based there, and yes, lobbying is a real business, sort of. The pandemic moved us forward probably five years when it comes to how we work and how we interact with each other. Modern society allows us this flexibility.

I want to thank my friends, Assemblywoman Gallant and Assemblywoman Taylor, for bringing this forward. You heard Assemblywoman Taylor talk about having more family time, less driving, all the benefits that come from working at home and having a home-based business. Just to be clear, you still have to have all permits and fees. My business has a state business license through the Office of the Secretary of State, a City of Reno business license, a county doing business as license. We have all of what we have to have and, while I do not have a lot of visitors because my home-based beagle probably would not appreciate that, it seems pretty simple to me. I think the rough rule of thumb is this: if you can drive by or live next door and not notice anything different or amiss, then a fully permitted, legal business should be able to operate there. I will use Assemblywoman Thomas' example of somebody preparing taxes. They have five customers come in and out of their home throughout the day. If your neighbor can have five folks come in and out throughout the day because their teenage son is doing an Xbox tournament, if you are not bothering your neighbors with your business any more than that neighbor having folks come out and visit the home, it seems to me, as long as you are treated the same, you are allowed to have a

home-based business and you can still have all the regulations with cars in your yard or cars parked all over the street and all over creation. As long as your neighbor is allowed to have X number of cars or X number of people come in, you should be allowed that too, as long as your business is a legally permitted business. I will just close by saying, home-based businesses can become larger businesses and employ more people. We do support anything that strengthens and supports small business in the state of Nevada.

**Nick Schneider, Policy Analyst, Government Affairs, Vegas Chamber:**

We appreciate the intent of the bill sponsors to support small and micro home-based businesses and to help those small businesses compete on a more even regulatory field. As such, the Vegas Chamber is in support of A.B. 314.

**Jim Degraffenreid, National Committeeman, Nevada Republican Party:**

We are here today in support of A.B. 314 and thank the bipartisan sponsors for bringing forward this commonsense legislation that will prevent local governments from unreasonably banning all home businesses, enabling Nevadans throughout our state to own their own business and contribute to the Nevada economy.

Small businesses are the backbone of the Nevada and U.S. economies, making up over 99 percent of all businesses in the U.S. Seventy percent of these businesses are operated by individuals, and a significant number are operated from home. By prohibiting unreasonable laws prohibiting the operation of all home businesses, A.B. 314 lowers barriers to entry for new business owners and allows more Nevadans to own their own business. Under this bill, local governments would not be able to ban home businesses across the board but would still be empowered to regulate as necessary to maintain the character of their residential neighborhoods. As an insurance professional, I work with many home-based business owners, and their ability to operate from home without the added expense of separate offices is a key part of their success. Assembly Bill 314 enables a level playing field by prohibiting discriminatory regulation against home-based businesses, but it also protects residential neighborhoods by preventing the operation of businesses that are incompatible with residential use due to parking and noise issues. The bill also respects HOA requirements as well as other laws governing residential uses of property. The bill sponsors have done an excellent job of crafting thoughtful legislation that balances the interests of home-based business owners with the interests of other neighborhood residents. We urge your support for this bipartisan, commonsense legislation.

**Chair Torres:**

Is there anyone wishing to testify in opposition to A.B. 314 here in Carson City?

**Mike Cathcart, Business Operations Manager, Finance Department, City of Henderson:**

The City of Henderson has opposed A.B. 314 on the premise that we believe this is a local government issue and should continue to be handled by local government. The city currently has the right balance of zoning regulations in place for home-based businesses, which balance the desire of some to start a business from home and also the desire of their

neighbors to enjoy a quiet, residential area. Section 4 of the bill both gives the city authority we already have, and we believe we have that authority, and it possibly restricts us from being responsive to the community in a timely manner. The city currently does prohibit some certain business types, such as automotive repair, in neighborhoods. There are about eight business types that we prohibit. Over the past year we have issued 482 home-based business home occupation permits. It is something we have a path for now. We do have some rules and regulations around home occupation permits. You are limited to three customers an hour to reduce traffic if you are seeing customers in your home. An example would be someone giving music lessons from their home. We would approve that as a home occupation, and as long as they are not seeing more than three new students an hour, they would be fine. It was brought up about the City of Henderson in regard to employees reporting to a home-based business. What our code says is that you cannot be employed at that residence if you do not live there. If you are not the resident, you cannot report to work there. The reason is that we get lots of complaints. We have people who wish to run retail locations out of a home that creates lots of traffic. We would not want employees reporting to a home to help sell goods and services from that home. That generates lots of traffic.

At the end of the day, we are opposed to A.B. 314 because we really see this as a limitation on our authority to regulate home-based businesses. Our big concern is, we leave here and we have 18 months before the Legislature comes back. The business community changes a lot. I have been dealing with business licensing for the last 12 years. People are innovative. People come in and approach us about different business types every day, and we work with them to get licensed either as a home-based business or in a commercial location. The business community changes quickly, and we need to be able to be nimble, we need to be able to respond to the changing desires of the business community to do different types of things from a home-based perspective, but also to be able to protect the neighborhoods as well, to maintain people's ability to enjoy their home and not have lots of traffic and a business community in their neighborhood. For those reasons, the City of Henderson is currently opposed to A.B. 314.

**Jennifer Berthiaume, Government Affairs Manager, Nevada Association of Counties:**

On behalf of our Nevada Association of Counties members, we are testifying in opposition today to A.B. 314 as drafted. We do want to thank the bill sponsor for her willingness to meet with local governments to hear our concerns and come to an agreement on this bill. We look forward to continuing that dialogue and hopefully being able to support an amended version of this bill. Our membership is concerned about the local preemption of existing ordinances and regulations in A.B. 314. Again, we look forward to continuing our work with the sponsor on this proposed legislation.

**Ashley Garza Kennedy, Principal Management Analyst, Government Affairs, Department of Administrative Services, Clark County:**

I am here in opposition to A.B. 314, but I want to first thank the Assemblywoman for meeting with local governments. As she mentioned, we were working on a conceptual amendment that we could not get to consensus before this hearing.

I want to begin by saying that Clark County currently does allow home-based businesses and we currently have 11,000 of them. We do not tax these businesses any differently than any type of businesses in our community. However, we have a responsibility to manage local zoning requirements and protect residential communities. We are committed to developing and maintaining communities for the comfort and enjoyment of all of our residents. Residential communities are not zoned for commercial use, and they should not be. Thus, we do currently have prohibitions on the types of businesses that may operate from a home, such as businesses involving vehicle repairs, bodywork, paint; or any businesses involving firearms, explosives, or any other dangerous materials; or any businesses that offer any type of medical services that you would see in a hospital or a clinic. We do not allow home-based businesses to have employees work from their home because this opens the door to other occupational safety concerns. We also do not generally allow customers to visit home-based businesses, with some exceptions, such as for someone who is providing cosmetology services and they are serving one customer at a time.

Again, we support home-based businesses and recognize they are a pathway to grow entrepreneurship, and our local ordinances allow these businesses to exist. However, we must balance the needs of small businesses while also preserving communities that are zoned for residential use. Our opposition to the bill as written removes all of our local authority to regulate home-based businesses in a manner we feel strongly is of local concern. I appreciate the sponsor for working with us, and we will continue to do so as we move through the process.

**Steve Walker, representing Storey County:**

My name is Steve Walker, home-based business owner, representing Storey County. Storey County is in opposition to A.B. 314 as introduced. We feel it has an element of a solution looking for a problem. We are a stakeholder in the negotiations and will continue to work with Assemblywoman Gallant.

[Per Chair Torres, the following testimony was placed in opposition because Committee rules mandate testimony which includes recommended amendments be in opposition. It was originally offered in neutral.]

**Wiz Rouzard, Deputy State Director, Americans for Prosperity-Nevada:**

On behalf of thousands of Americans for Prosperity activists, we are neutral on A.B. 314, which seeks to empower entrepreneurs starting the pursuit of their American dream from their home. I do want to thank Assemblywoman Gallant and Assemblywoman Taylor for definitely presenting this bill. What they have done is highlight a serious problem where Nevadans have lost complete trust in local municipalities as they continuously infringe on individual rights in their pursuit of happiness.

Also, as they stated before the pandemic, the Small Business Administration estimated that about half of all small businesses are home-based. That number is even higher today. We are talking about Amazon, Hobby Lobby, Microsoft, Google, Dell; these amazing companies have all started in the garage. This is what this bill is seeking to empower.

Although it is well-intended, we do think there are some stipulations within this bill that could be a lot better. Two recommendations from us: in section 1, subsection 5, paragraph (a) and section 1, subsection 1, paragraph (a). Regarding section 1, subsection 5, paragraph (a), I think Assemblyman D'Silva hit it on the nail. Our concern was that you have some families who employ their entire families and close friends. That section there would restrict them and would basically hinder the ability for individuals to get their American dream started. We suggest that clause be removed altogether. In terms of retail transactions, that is a big problem. It seems like government can say you cannot use a garage or a shed, which is basically silly and sad, but we do believe if we were to remove that, then that would empower home-based businesses to succeed.

Make no mistake, Clark County is not the best in empowering individuals. There are current lawsuits and litigation addressing some of the ordinances that are egregious. For us, we look at it and say, this is a great bill in the right direction. We believe that the Declaration of Independence says everybody has an inalienable right to pursue the American dream and the role of government is to empower them. We look forward to working with the bill sponsors to ensure that we get this bill in the right direction, with the right stipulations to empower every single family, especially those young individuals who are out there wanting to obtain their dreams.

**Chair Torres:**

I know that you can definitely reach out to the bill sponsors, and I know that they can look forward to working with you on those things. Is there anyone else wishing to testify in opposition to A.B. 314? [There was no one.] Is there anyone wishing to testify in neutral to A.B. 314? I will invite the bill sponsors up for any closing remarks.

**Assemblywoman Taylor:**

The intent of this bill is to keep the door open for small businesses and to make sure it continues to stay open for the many thousands and growing numbers of small businesses and in all of our constituencies across the state. We recognize that people are choosing to stay home, to work from home, to have a home-based business for their finances, for their family, for the flexibility. We want to continue to support that. The words of concern or opposition were heard and notes were well-taken, and I look forward to continuing to work as we move forward.

**Assemblywoman Gallant:**

It is always exciting when you have bipartisan legislation. I do hope we can all consider supporting this bill not only for the economic diversity and workforce that we would like to see here in Nevada, but also to help balance work and family. Some of my background in mental health definitely comes into it. I know there are a lot of parents out there that really would like to be able to be home with their teenage kids when things are most tenable at that time. I do believe that this bill is going to really assist with that. I also look forward to working with stakeholders so we can find the right balance for Nevadans because five minds are better than one.



**Chair Torres:**

We did get a response from the Legal Division regarding the question of whether this would still apply to mechanics. We are happy to send this out to the bill sponsors as well so that they can have this clarification, but the concise answer is that the language does allow local governments to enact ordinances that regulate the parking of vehicles or machinery at a home-based business or that are visible from the street or another property. Despite the general rule in the bill that local governments cannot prohibit home-based businesses or treat them differently from other businesses, this does create a specific rule that local governments can still make specific rules relating to parking and visibility of vehicles and machinery at home-based businesses if they are visible. At this time, I will go ahead and close the hearing on A.B. 314. We will go ahead and move on to public comment. [Public comment was heard.] At this time, the meeting is adjourned [at 9:50 a.m.].

RESPECTFULLY SUBMITTED:

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Dylan Small  
Committee Secretary

APPROVED BY:

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Assemblywoman Selena Torres, Chair

DATE: \_\_\_\_\_

**EXHIBITS**

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.