

SENATE BILL NO. 260—SENATORS FLORES, DOÑATE; AND SCHEIBLE

MARCH 3, 2025

JOINT SPONSORS: ASSEMBLYMEMBERS  
MOORE, GONZÁLEZ; AND D’SILVA

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to air quality.  
(BDR 53-961)

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

CONTAINS UNFUNDED MANDATE (§ 1)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 employment; establishing requirements for certain employers relating to the exposure of employees to poor air quality in the workplace; prohibiting an employer from disciplining or retaliating against an employee who reports certain information relating to poor air quality; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires certain employers to establish and implement a written  
2 safety program that includes the establishment of a training program concerning  
3 safety in the workplace. (NRS 618.383) **Section 1** of this bill requires certain  
4 employers to also: (1) establish and implement a program to mitigate the exposure  
5 of employees to poor air quality and to monitor employees for signs of health  
6 effects caused by exposure to poor air quality; and (2) provide training to  
7 employees on the program and the potential hazards of not using personal  
8 protection equipment while working and being exposed to poor air quality. **Section**  
9 **1** also requires the employer to: (1) monitor air quality; and (2) take certain actions  
10 when an employee is exposed to air quality where the level of particulate matter in  
11 the atmosphere, commonly known as PM<sub>2.5</sub> levels, exceed 150. **Section 1** requires  
12 each employer to establish a communications system that: (1) informs an employee  
13 when the employee is being exposed to such poor air quality; and (2) allows any  
14 employee to report to the employer the presence of such poor air quality and any



15 symptom experienced by the employee that may be caused by such exposure.  
16 **Section 1** prohibits an employer from disciplining or retaliating against any  
17 employee who reports to the employer the presence in the employee's workspace of  
18 air quality where PM<sub>2.5</sub> levels exceed an air quality index of 150 or any symptom  
19 experienced by the employee that may be caused by exposure to such air quality.  
20 Finally, **section 1** provides that these requirements do not apply to any employer  
21 that: (1) is a provider of emergency services; or (2) has 10 or fewer employees,  
22 unless the employer has employees who work in an environment where the  
23 employees may be exposed to certain poor levels of air quality.

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

1 **Section 1.** Chapter 618 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3 *1. Except as otherwise provided in subsection 8, each*  
4 *employer shall:*

5 *(a) Establish and implement a program that meets the*  
6 *requirements of this section to mitigate the exposure of employees*  
7 *to poor air quality and to monitor employees for signs of health*  
8 *effects caused by exposure to poor air quality; and*

9 *(b) Provide to each employee, in a language and format that is*  
10 *understandable to each employee, training on:*

11 *(1) The requirements of this section;*

12 *(2) The program established pursuant to paragraph (a);*

13 *and*

14 *(3) The potential hazards of not using personal protection*  
15 *equipment while working and being exposed to poor air quality.*

16 *2. The employer shall monitor air quality to determine PM<sub>2.5</sub>*  
17 *levels before and periodically during each employee's shift by:*

18 *(a) Using an air quality monitor or device that takes direct*  
19 *readings of particulate matter in the air to measure the levels of*  
20 *PM<sub>2.5</sub> in accordance with any standards for taking such readings*  
21 *used by the Division of Environmental Protection of the State*  
22 *Department of Conservation and Natural Resources; or*

23 *(b) Determining the Environmental Protection Agency Air*  
24 *Quality Index value from at least one of the following sources, as*  
25 *appropriate, for the location of the work being conducted by*  
26 *employees:*

27 *(1) AirNow.*

28 *(2) The United States Forest Service.*

29 *(3) The Interagency Wildland Fire Air Quality Response*  
30 *Program.*

31 *(4) The Air Quality Management Division of Northern*  
32 *Nevada Public Health.*



1           (5) *The Clark County Department of Air Quality*  
2 *Management.*

3           (6) *The Ambient Air Quality Monitoring Program of the*  
4 *Division.*

5           (7) *The Bureau of Air Quality Planning of the Division.*

6           3. *Except as otherwise provided in subsection 4, if, during*  
7 *any shift, an employee is being exposed to air quality where PM<sub>2.5</sub>*  
8 *levels exceed an air quality index of 150, the employer shall do*  
9 *one or more of the following:*

10          (a) *Provide to the employee and encourage the use of a device*  
11 *that is approved for respiratory protection by the National Institute*  
12 *for Occupational Safety and Health, including, without limitation,*  
13 *a disposable filtering facepiece respirator, half facepiece*  
14 *respirator, full facepiece respirator or nondisposable respirator,*  
15 *and that is labeled N-95, N-99, N-100, R-95, P-95, P-99 or P-100;*

16          (b) *Provide the employee with access to an indoor environment*  
17 *with appropriate ventilation and air filtering;*

18          (c) *Relocate the workspace of the employee;*

19          (d) *Reduce the physical activity level of the employee;*

20          (e) *Increase the number of breaks provided to the employee;*

21          (f) *Adjust the employee's work schedule to a time that reduces*  
22 *or eliminates the employee's exposure to the poor air quality; or*

23          (g) *Authorize the employee to work from a remote location.*

24           4. *If, during any shift, an employee is being exposed to air*  
25 *quality where PM<sub>2.5</sub> levels exceed an air quality index of 200 and*  
26 *none of the activities described in subsection 3 are feasible to*  
27 *reduce the employee's exposure to the air, the employer shall not*  
28 *require the employee to continue to work.*

29           5. *Each employer shall establish a communications system*  
30 *that:*

31          (a) *Informs an employee, in a manner that is understandable*  
32 *to the employee, when the employee is being exposed to air quality*  
33 *where PM<sub>2.5</sub> levels exceed an air quality index of 150 during the*  
34 *employee's workday and of the protective controls that are*  
35 *available to the employee to reduce exposure to the air quality.*

36          (b) *Allows any employee to inform the employer when the*  
37 *employee is being exposed to air quality where PM<sub>2.5</sub> levels exceed*  
38 *an air quality index of 150 in the employee's workplace and if the*  
39 *employee is experiencing any symptom related to such exposure,*  
40 *including, without limitation, asthmatic attacks, difficulty*  
41 *breathing or chest pain.*

42           6. *An employer shall not discipline or retaliate against any*  
43 *employee who reports to the employer the presence in the*  
44 *employee's workspace of air quality where PM<sub>2.5</sub> levels exceed an*



1 *air quality index of 150 or any symptom experienced by the*  
2 *employee that may be caused by exposure to such air quality.*

3 *7. The Administrator of the Division may:*

4 *(a) Develop and provide each employer with a written guide*  
5 *for establishing a program pursuant to this section; and*

6 *(b) Adopt any regulations necessary to carry out the provisions*  
7 *of this section.*

8 *8. The provisions of this section do not apply to any employer*  
9 *who:*

10 *(a) Is a provider of emergency services; or*

11 *(b) Has 10 or fewer employees, unless the employer has*  
12 *employees who work in an environment where the employees may*  
13 *be exposed to air quality where PM<sub>2.5</sub> levels exceed an air quality*  
14 *index of 150.*

15 *9. As used in this section:*

16 *(a) "PM<sub>2.5</sub>" means any particulate matter in the atmosphere*  
17 *with an aerodynamic diameter less than or equal to a nominal 2.5*  
18 *micrometers.*

19 *(b) "Provider of emergency services" means an agency of the*  
20 *State or a political subdivision of the State that provides police,*  
21 *fire-fighting, rescue, emergency medical services or other services*  
22 *related to public safety.*

23 **Sec. 2.** The provisions of NRS 354.599 do not apply to any  
24 additional expenses of a local government that are related to the  
25 provisions of this act.

26 **Sec. 3.** 1. This section and section 2 of this act become  
27 effective upon passage and approval.

28 2. Section 1 of this act becomes effective:

29 (a) Upon passage and approval for the purpose of adopting any  
30 regulations and performing any other preparatory administrative  
31 tasks that are necessary to carry out the provisions of this act; and

32 (b) On January 1, 2026, for all other purposes.

