

ASSEMBLY BILL NO. 90—ASSEMBLYWOMAN BERMAN

FEBRUARY 4, 1999

Referred to Committee on Education

SUMMARY—Prohibits certain fund-raising activities that involve pupils of public schools.
(BDR 34-75)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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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 pupils; prohibiting certain fund-raising activities involving pupils of public schools; and providing other matters properly relating thereto.

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

- 1 **Section 1.** Chapter 392 of NRS is hereby amended by adding thereto
2 a new section to read as follows:
3 ***1. A public school, or organization sponsored by a public school,***
4 ***shall not engage in a fund-raising activity that includes:***
5 ***(a) Door-to-door sales by pupils; or***
6 ***(b) Incentives through which a pupil may earn a prize or other***
7 ***remuneration for the selling of merchandise or the soliciting of money or***
8 ***other donations for the school or organization.***
9 ***2. If the principal of a public school believes that a violation of***
10 ***subsection 1 is occurring or has occurred with respect to the school, he***
11 ***shall take immediate action to prevent a further violation and shall, as***
12 ***soon as practicable, notify the board of trustees of the school district in***
13 ***which the school is located and the superintendent of public instruction***
14 ***concerning the violation and inform them of the action taken to prevent***
15 ***a further violation.***
16 ***3. The superintendent of public instruction, upon receiving***
17 ***notification of a violation of subsection 1, shall investigate the***
18 ***circumstances surrounding the violation and, after considering the***
19 ***nature and extent of the violation and the immediacy and efficacy of the***
20 ***action taken to prevent a further violation, may, if he determines it***

1 *appropriate, suspend the school from engaging in all fund-raising*
2 *activities for a period not to exceed 1 school year.*

3 **4. As used in this section:**

4 *(a) "Door-to-door sales" means the selling of merchandise or the*
5 *soliciting of money or other donations by a pupil outside the grounds of a*
6 *public school and in a place other than the residence of the pupil, in*
7 *which the pupil travels from one residence or business to another to raise*
8 *money or secure donations for a public school or organization sponsored*
9 *by a public school. The term does not include sales or solicitations*
10 *conducted pursuant to a prearranged appointment with a specific person*
11 *that is held in a place to which the general public has access.*

12 *(b) "Incentives" do not include benefits or rewards made available to*
13 *groups of pupils for their participation in a fund-raising program, so*
14 *long as individual pupils are not rewarded based on their level of sales or*
15 *donations secured.*

16 *(c) "Organization sponsored by a public school" includes, without*
17 *limitation, a school team, band or club that engages in sports or any*
18 *other extracurricular activity, a booster club or a parent-teacher*
19 *association.*

20 **Sec. 2.** If a public school, or organization sponsored by a public
21 school, is engaged on the effective date of this act in a fund-raising activity
22 that violates section 1 of this act, the school or organization may continue
23 the fund-raising activity until it is completed, except that in no event may
24 the fund-raising activity continue for more than 30 days after the effective
25 date of this act.

26 **Sec. 3.** This act becomes effective upon passage and approval.