

ASSEMBLY BILL NO. 74—ASSEMBLYMEN BERMAN,  
CARPENTER AND GIBBONS

FEBRUARY 9, 2001

Referred to Committee on Commerce and Labor

SUMMARY—Prohibits employment of children under 16 years of age in certain activities relating to commercial sales or distribution. (BDR 53-659)

FISCAL NOTE: Effect on Local Government: Yes.  
Effect on the State: 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 children; prohibiting the employment of children under 16 years of age in certain activities relating to commercial sales or distribution; providing a penalty; 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 609 of NRS is hereby amended by adding thereto a
- 2     new section to read as follows:
- 3     ***1. Except as otherwise provided in this section, no child under the***
- 4     ***age of 16 years may be employed, permitted or required to work in any***
- 5     ***capacity in connection with:***
- 6         ***(a) The distribution of any advertisements or other literature; or***
- 7         ***(b) The solicitation for sale or selling of any product, good or***
- 8         ***service,***
- 9         ***from a vehicle or at a residence, place of business or public place,***
- 10        ***including, without limitation, a street corner, parking lot, median of a***
- 11        ***roadway, or facility for public transportation, sporting events or the***
- 12        ***performing arts.***
- 13     ***2. Subsection 1 does not apply to:***
- 14        ***(a) The delivery of newspapers to the residence or place of business of***
- 15        ***a subscriber.***
- 16        ***(b) The employment of a child by a retail establishment at a fixed***
- 17        ***place of business in compliance with the provisions of the Fair Labor***
- 18        ***Standards Act of 1938, 29 U.S.C. §§ 201 et seq.***
- 19        ***(c) The activities of a child who voluntarily and without compensation***
- 20        ***acts on behalf of a nonprofit organization or public school.***



1     **3. The labor commissioner may, if he determines that a specific**  
2     **activity would not endanger the health or welfare of a child under the**  
3     **age of 16 years, exempt the activity from the provisions of subsection 1.**  
4     **Such an exemption must be set forth in writing.**

5     **Sec. 2.** NRS 609.270 is hereby amended to read as follows:  
6     609.270 Except as otherwise provided in NRS 609.190 to 609.260,  
7     inclusive, **and section 1 of this act,** whoever employs any child, and  
8     whoever, having under his control as parent, guardian or otherwise, any  
9     child, permits or suffers any child to be employed or to work in violation of  
10    any of the provisions of NRS 609.190 to 609.260, inclusive, ~~shall be~~ **or**  
11    **section 1 of this act, is** guilty of a misdemeanor.

12    **Sec. 3.** The amendatory provisions of this act do not apply to offenses  
13    that were committed before the effective date of this act.

14    **Sec. 4.** This act becomes effective upon passage and approval.

