

SENATE BILL NO. 23—SENATOR CARLTON (BY REQUEST)

PREFILED JANUARY 19, 2001

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing discrimination against employees who have certain medical conditions. (BDR 53-897)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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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; prohibiting employers from discriminating against employees who have certain medical conditions; 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:

Section 1. Chapter 613 of NRS is hereby amended by adding thereto a new section to read as follows:

1. An employer who requires an employee to comply with a dress code adopted by the employer or to dress in a manner specified by the employer as a condition of maintaining the employee's position of employment shall not, during any period set forth in a written notice submitted to the employer pursuant to the provisions of subsection 2, discharge, discipline, demote or otherwise discriminate against the employee solely because he has a medical condition that prohibits him from complying with any provision of the dress code or dressing in the manner specified by the employer.

2. An employee who has a medical condition specified in subsection 1 may submit a written notice of that fact to his employer. The written notice must be prepared by a physician and indicate the estimated period during which the employee will suffer from the medical condition.

3. An employer who violates a provision of this section is liable to the State of Nevada for a penalty of \$5,000 for each offense. The penalty must be recovered and the suit must be brought in the name of the State of Nevada in a court of proper jurisdiction by the attorney general or,

1 *under his direction, by the district attorney in any county having proper*
2 *jurisdiction.*

3 *4. If a penalty is imposed pursuant to the provisions of this section,*
4 *the costs of the proceeding, including any investigative costs and*
5 *attorney's fees, may be recovered by the attorney general or the district*
6 *attorney acting under the direction of the attorney general.*

7 **Sec. 2.** The amendatory provisions of this act do not apply to offenses
8 committed before the effective date of this act.

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

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