

ASSEMBLY BILL NO. 419—ASSEMBLYMEN PIERCE, OHRENSCHALL, MANENDO, PARKS, KOIVISTO, ANDERSON, ARBERRY, ATKINSON, BUCKLEY, CHOWNING, COLLINS, CONKLIN, GEDDES, GOICOECHEA, GOLDWATER, GRADY, HORNE, LESLIE, MCCLAIN, MCCLEARY, MORTENSON, OCEGUERA, SHERER AND WEBER

MARCH 17, 2003

Referred to Committee on Commerce and Labor

SUMMARY—Provides that landlord of dwelling units intended and operated exclusively for persons 55 years of age and older may not employ person to perform work on premises unless person has work card issued by sheriff. (BDR 10-833)

FISCAL NOTE: Effect on Local Government: No.
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 property; providing that a landlord of dwelling units intended and operated exclusively for persons 55 years of age and older may not employ a person to perform work on the premises unless the person has a work card issued by the sheriff of the county; 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 118A of NRS is hereby amended by
2 adding thereto a new section to read as follows:

3 *1. Except as otherwise provided in subsection 4, a landlord of*
4 *dwelling units intended and operated exclusively for persons 55*
5 *years of age and older may not employ any person who will work*
6 *36 hours or more per week and who will have access to all*
7 *dwelling units to perform work on the premises unless the person*
8 *has obtained a work card issued pursuant to subsection 2 by the*



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1 *sheriff of the county in which the dwelling units are located and*
2 *renewed that work card as necessary.*

3 2. *The sheriff of a county shall issue a work card to each*
4 *person who is required by this section to obtain a work card and*
5 *who complies with the requirements established by the sheriff for*
6 *the issuance of such a card. A work card issued pursuant to this*
7 *section must be renewed:*

8 (a) *Every 5 years; and*

9 (b) *Whenever the person changes his employment to perform*
10 *work for an employer other than the employer for which his*
11 *current work card was issued.*

12 3. *If the sheriff of a county requires an applicant for a work*
13 *card to be investigated:*

14 (a) *The applicant must submit with his application a complete*
15 *set of his fingerprints and written permission authorizing the*
16 *sheriff to forward the fingerprints to the Central Repository for*
17 *Nevada Records of Criminal History for submission to the Federal*
18 *Bureau of Investigation for its report.*

19 (b) *The sheriff may submit the fingerprints to the Central*
20 *Repository for Nevada Records of Criminal History for submission*
21 *to the Federal Bureau of Investigation to determine the criminal*
22 *history of the applicant.*

23 (c) *The sheriff shall issue a temporary work card pending the*
24 *determination of the criminal history of the applicant by the*
25 *Federal Bureau of Investigation.*

26 4. *The following persons are not required to obtain a work*
27 *card pursuant to this section:*

28 (a) *A person who holds a permit to engage in property*
29 *management pursuant to chapter 645 of NRS.*

30 (b) *An independent contractor. As used in this paragraph,*
31 *"independent contractor" means a person who performs services*
32 *for a fixed price according to his own methods and without*
33 *subjection to the supervision or control of the landlord, except as*
34 *to the results of the work, and not as to the means by which the*
35 *services are accomplished.*

36 (c) *An offender in the course and scope of his employment in a*
37 *work program directed by the warden, sheriff, administrator or*
38 *other person responsible for administering a prison, jail or other*
39 *detention facility.*

40 (d) *A person performing work through a court-assigned*
41 *restitution or community-service program.*

42 **Sec. 2.** *Notwithstanding the provisions of section 1 of this act,*
43 *a person who was employed by a landlord to perform work on the*
44 *premises before October 1, 2003, who works 36 hours or more per*



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- 1 week and who has access to all dwelling units must obtain a work
- 2 card issued pursuant to section 1 of this act before January 1, 2004.

