

ASSEMBLY BILL NO. 200—ASSEMBLYMEN PARNELL, DENIS, HORNE, BUCKLEY, SMITH, ALLEN, ANDERSON, ATKINSON, CONKLIN, GANSERT, GERHARDT, GIUNCHIGLIANI, GRADY, KOIVISTO, LESLIE, MABEY, MANENDO, MCCLAIN, MCCLEARY, MORTENSON, OCEGUERA, PARKS, PIERCE AND SIBLEY (BY REQUEST)

MARCH 14, 2005

Referred to Committee on Health and Human Services

SUMMARY—Prohibits child care facility and any employee or volunteer of child care facility from taking certain actions against child for disciplinary purposes. (BDR 38-930)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
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 child care facilities; prohibiting a person who is licensed to operate a child care facility and any employee or volunteer of a child care facility from taking certain actions against a child for disciplinary purposes; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, a child care facility must be licensed if it provides care to
2 five or more children under the age of 18 years. (NRS 432A.024, 432A.131,
3 432A.141) Existing law further requires the adoption of licensing standards for
4 such child care facilities. (NRS 432A.077, 432A.131) According to such standards,
5 a member, employee or other person associated with a child care facility is
6 prohibited from taking certain actions against a child, including inflicting physical
7 punishment upon a child and verbally abusing or threatening a child. (NAC
8 432A.400) Existing law further provides that the Bureau of Services for Child Care
9 of the Division of Child and Family Services of the Department of Human
10 Resources may deny an application for a license or may suspend or revoke a license
11 for various grounds, including violation by the applicant or licensee, or an



employee of either, of any of the laws and regulations governing child care facilities. (NRS 432A.190)

This bill specifically prohibits a licensed child care facility, or an employee or volunteer of such a facility, from inflicting physical punishment upon any child and from verbally abusing or threatening a child. Physical punishment includes placing any type of adhesive tape on or over the mouth of a child. This bill makes it a misdemeanor to violate this prohibition. In addition, because this prohibition is added to the laws governing child care facilities, violation may be grounds for disciplinary action against the facility, including suspension or revocation of the facility's license.

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

Section 1. Chapter 432A of NRS is hereby amended by adding thereto a new section to read as follows:

1. A person who is licensed by the Bureau or by a county or city to operate a child care facility and any employee or volunteer of such a child care facility shall not:

(a) Inflict physical punishment, in any manner or form, upon any child, including, without limitation, placing duct tape or any other adhesive tape on or over the mouth of a child; or

(b) Verbally abuse or threaten a child.

2. Unless a greater penalty is provided by specific statute, a person who violates the provisions of subsection 1 is guilty of a misdemeanor.

