

**Amendment No. 967**

Assembly Amendment to Assembly Bill No. 189 Second Reprint

(BDR 18-406)

**Proposed by:** Committee on Ways and Means**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

| ASSEMBLY ACTION  | Initial and Date | SENATE ACTION  | Initial and Date |
|--|------------------|--|------------------|
| Adopted <input type="checkbox"/> Lost <input type="checkbox"/>     | _____            | Adopted <input type="checkbox"/> Lost <input type="checkbox"/>     | _____            |
| Concurred In <input type="checkbox"/> Not <input type="checkbox"/> | _____            | Concurred In <input type="checkbox"/> Not <input type="checkbox"/> | _____            |
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Amend the bill as a whole by renumbering sections 1 through 14 as sections 3 through 16 and adding new sections designated sections 1 and 2, following the enacting clause, to read as follows:

“**Section 1.** Chapter 233 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

**Sec. 2. 1.** *The Commission shall not contract with or enter into a memorandum of understanding with the United States Department of Housing and Urban Development for the Commission to investigate and enforce laws relating to fair housing as a certified agency unless the Legislature, by resolution or other appropriate legislative measure, expressly authorizes the Commission to do so.*

**2.** *As used in this section:*

SP/MSM

Date: 5/26/2005

A.B. No. 189—Revises provisions relating to Nevada Equal Rights Commission.

*(a) “Certified agency” has the meaning ascribed to it in 24 C.F.R. § 115.100(c). The term refers to the certification of an agency as substantially equivalent as described in 42 U.S.C. § 3610(f)(3)(A) and 24 C.F.R. Part 115, Subpart B.*

*(b) “Memorandum of understanding” means the memorandum of understanding described in 24 C.F.R. § 115.210.”.*

Amend section 1, page 2, by deleting lines 1 through 3 and inserting:

**“Sec. 3. 1. During the period from the filing of a complaint alleging”.**

Amend sec. 6, page 6, line 18, by deleting “I” and inserting “3”.

Amend sec. 10, page 9, line 26, by deleting “I” and inserting “3”.

Amend sec. 10, page 10, line 13, by deleting “I” and inserting “3”.

Amend the bill as a whole by deleting sec. 15 and renumbering sections 16 through 18 as sections 17 through 19.

**If this amendment is adopted, the Legislative**

**Counsel's Digest will be changed to read as follows:**

**Legislative Counsel's Digest:**

Existing law prohibits discrimination in employment, housing and places of public accommodations. (Chapters 118, 233, 613 and 651 of NRS) Under existing law, the Nevada Equal Rights Commission has the power to investigate, mediate and hold hearings relating to unlawful discriminatory practices in those areas. (NRS 233.150)

This bill authorizes the Nevada Equal Rights Commission to initiate a complaint alleging an unlawful discriminatory practice in housing and requires the Commission to investigate such a complaint if the complaint is not resolved at an informal settlement meeting. However, this bill prohibits the Commission from contracting with or entering into a memorandum of understanding with the United States Department of Housing and Urban Development for the Commission to investigate and enforce laws relating to fair housing as an agency certified as "substantially equivalent" unless the Legislature expressly authorizes the Commission to do so.

Existing law prohibits discrimination in housing against any person or group because of race, color, creed, sex, disability, national origin or ancestry. (NRS 233.010, 233.150)

This bill adds familial status to the list of discriminatory bases that are prohibited in housing and therefore allows the Nevada Equal Rights Commission to order its Administrator to investigate and conduct hearings concerning tensions, practices of discrimination and acts of prejudice relating to familial status.

Existing law authorizes the Nevada Equal Rights Commission to apply to the district court for a temporary restraining order or preliminary injunction on behalf of a person aggrieved by an alleged discriminatory practice in employment, housing or public accommodations after an informal meeting is held and before holding a public hearing on the matter if the Commission determines that the practice will cause immediate and irreparable harm to the person. (NRS 233.180)

This bill allows the Commission to apply for such relief at any time after the Administrator of the Commission has conducted a preliminary investigation.

Existing law excludes from the regulatory authority of the Nevada Equal Rights Commission a single-family house sold or rented by an owner if the owner does not have any ownership interest in, title to or right to the proceeds from the sale or rental of more than three single-family homes and the house was sold or rented without the use of the facilities or services of a real estate broker or salesman. (NRS 118.060)

This bill provides that for such a house to be excluded from the regulatory authority of the Commission, the house must also be sold or rented without the publication, posting or mailing of an advertisement or written notice indicating a discriminatory preference or limitation.

Existing law prohibits a person from taking various actions relating to the sale or rental of certain housing based on a discriminatory purpose. (NRS 118.100)

This bill expands the list of such prohibited discriminatory practices in housing to include discrimination in making available certain real estate transactions and denial of access to or membership or participation in multiple-listing services and real estate brokers' organizations. This bill also clarifies that certain religious organizations, nonprofit institutions and private clubs may, under certain circumstances, restrict to their own membership or give preference to their own

membership in regard to the sale, rental and occupancy of certain dwellings and lodgings that they own or operate.