

ASSEMBLY BILL NO. 415—ASSEMBLYMEN SHERWOOD; ELLISON,
GOEDHART, GOICOECHEA, GRADY, HAMBRICK,
HAMMOND, HANSEN, HARDY, HICKEY, KIRNER, KITE,
LIVERMORE AND STEWART

MARCH 21, 2011

Referred to Committee on Judiciary

SUMMARY—Limits the liability of certain independent
contractors. (BDR 3-1072)

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 civil actions; limiting the liability of certain
independent contractors; and providing other matters
properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law limits the tort liability of state employees and certain independent
2 contractors. (NRS 41.035) **Section 1** of this bill includes within the limitation of
3 liability an independent contractor who has entered into a contract with a regional
4 transportation commission to provide transportation services.

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

- 1 **Section 1.** NRS 41.0307 is hereby amended to read as follows:
2 41.0307 As used in NRS 41.0305 to 41.039, inclusive:
3 1. "Employee" includes an employee of a:
4 (a) Part-time or full-time board, commission or similar body of
5 the State or a political subdivision of the State which is created by
6 law.
7 (b) Charter school.
8 (c) University school for profoundly gifted pupils described in
9 chapter 392A of NRS.
10 2. "Employment" includes any services performed by an
11 immune contractor.



3. “Immune contractor” means any natural person, professional corporation or professional association which:

(a) Is an independent contractor with the State pursuant to NRS 333.700 ~~{ }~~ and

~~{(b)-Contracts}~~ *contracts* to provide ~~{medical}~~ services for the Department of Corrections.

(b) Is an independent contractor with a regional transportation commission and contracts to provide transportation services.

➔ As used in this subsection, “professional corporation” and “professional association” have the meanings ascribed to them in NRS 89.020.

4. “Public officer” or “officer” includes:

(a) A member of a part-time or full-time board, commission or similar body of the State or a political subdivision of the State which is created by law.

(b) A public defender and any deputy or assistant attorney of a public defender or an attorney appointed to defend a person for a limited duration with limited jurisdiction.

(c) A district attorney and any deputy or assistant district attorney or an attorney appointed to prosecute a person for a limited duration with limited jurisdiction.

Sec. 2. The amendatory provisions of this act apply to a cause of action that accrues on or after July 1, 2011.

Sec. 3. This act becomes effective on July 1, 2011.

