

Amendment No. 268

Senate Amendment to Senate Bill No. 328 (BDR 53-108)

Proposed by: Senate Committee on Commerce, Labor and Energy**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) ~~orange double underlining~~ is deleted language in the original bill that is proposed to be retained in this amendment; and (6) ***green bold underlining*** is newly added transitory language.

MSN/TMC



Date: 4/17/2011

S.B. No. 328—Revises provisions governing the payment and collection of wages and other benefits. (BDR 53-108)



SENATE BILL NO. 328—SENATOR HORSFORD

MARCH 21, 2011

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Revises provisions governing the payment and collection of wages and other benefits. (BDR 53-108)

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 compensation; exempting creative professionals from requirements relating to compensation for overtime; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires employers to pay an employee compensation for overtime, but exempts certain kinds of employees, including employees who are employed in a bona fide professional capacity. (NRS 608.018)

This bill revises the definition of “professional” to include creative professionals, as described in federal law, who are not employees of a contractor within the kinds of employees who are exempt from the overtime requirement.

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

Section 1. NRS 608.0116 is hereby amended to read as follows:

608.0116 “Professional” means pertaining to ~~an~~:

1. An employee who is licensed or certified by the State of Nevada for and engaged in the practice of law or any of the professions regulated by chapters 623 to 645, inclusive, 645G and 656A of NRS.

2. A creative professional as described in 29 C.F.R. § 541.302 ~~+~~ who is not an employee of a contractor as that term is defined in NRS 624.020.

Sec. 2. This act becomes effective on July 1, 2011.