

SENATE BILL NO. 149—SENATORS CEGAVSKE, LESLIE, MCGINNESS,
HORSFORD, SCHNEIDER; BREEDEN, BROWER, COPENING,
DENIS, GUSTAVSON, HALSETH, HARDY, KIECKHEFER,
KIHUEN, LEE, MANENDO, PARKS, RHOADS, ROBERSON,
SETTELMAYER AND WIENER

FEBRUARY 16, 2011

Referred to Committee on Health and Human Services

SUMMARY—Establishes policies concerning certain persons with
disabilities. (BDR 39-603)

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 persons with disabilities; establishing the policy
of this State relating to the considerate and respectful
treatment of persons with intellectual disabilities; revising
the preferred manner of referring to certain persons with
intellectual disabilities in the Nevada Revised Statutes
and Nevada Administrative Code; and providing other
matters properly relating thereto.

Legislative Counsel's Digest:

- 1 **Section 1** of this bill establishes the policy of the State to treat persons with
- 2 intellectual disabilities with consideration and respect.
- 3 Existing law establishes the preferred manner of referring to persons with
- 4 disabilities in the Nevada Revised Statutes and provides that it is the policy of this
- 5 State that such persons are referred to in a similar manner in the Nevada
- 6 Administrative Code. (NRS 220.125, 233B.062) **Section 2** of this bill establishes a
- 7 preference for the phrase “persons with intellectual disabilities” and requires the
- 8 Legislative Counsel to replace references to “persons with mental retardation” with
- 9 references to “persons with intellectual disabilities.” This change is similar to the
- 10 federal law commonly cited as Rosa’s Law. (Pub. L. No. 111-256)



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

Section 1. Chapter 435 of NRS is hereby amended by adding thereto a new section to read as follows:

It is the policy of this State that persons with intellectual disabilities and persons with related conditions:

- 1. Receive services in a considerate and respectful manner;*
- 2. Are recognized as individuals before recognizing the disabilities of the persons; and*
- 3. Are to be referred to using language which is commonly viewed as respectful and which refers to the person before referring to his or her disability.*

Sec. 2. NRS 220.125 is hereby amended to read as follows:

220.125 1. The Legislative Counsel shall, to the extent practicable, ensure that persons with physical, mental or cognitive disabilities are referred to in Nevada Revised Statutes using language that is commonly viewed as respectful and sentence structure that refers to the person before referring to his or her disability.

2. Words and terms that are preferred for use in Nevada Revised Statutes include, without limitation, "persons with disabilities," "persons with mental illness," "persons with ~~mental retardation~~] *intellectual disabilities*" and other words and terms that are structured in a similar manner.

3. Words and terms that are not preferred for use in Nevada Revised Statutes include, without limitation, "disabled," "handicapped," "mentally disabled," "mentally ill," "mentally retarded" and other words and terms that tend to equate the disability with the person.

Sec. 3. 1. In preparing supplements to the Nevada Revised Statutes and the Nevada Administrative Code, the Legislative Counsel shall make such changes as necessary so that references to "persons with mental retardation" are replaced with references to "persons with intellectual disabilities." Such changes may include revising other language as necessary to replace references to "mental retardation" with references to "intellectual disabilities."

2. To the extent that revisions are made to the Nevada Revised Statutes pursuant to subsection 1, the revisions shall be construed as nonsubstantive and it is not the intent of the Nevada Legislature to modify any existing interpretations of any statute which is so revised.

