

Amendment No. 465

Senate Amendment to Senate Bill No. 343	(BDR 18-990)
Proposed by: Senate Committee on Revenue and Economic Development	
Amends: Summary: Yes Title: Yes 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"/>	
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

JFD/EGO



Date: 4/20/2017

S.B. No. 343—Requires the Office of Economic Development to collect and report information related to gender equality in the workplace.
(BDR 18-990)



SENATE BILL NO. 343—SENATOR FARLEY

MARCH 20, 2017

Referred to Committee on Revenue and
Economic Development

SUMMARY—Requires the ~~{Office of Economic Development}~~ **Secretary of State** to collect and report information related to gender equality in the workplace. (BDR 18-990)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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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 gender equality; requiring the ~~{Office of Economic Development}~~ **Secretary of State** to conduct an annual survey of ~~{certain employers}~~ **certain businesses** to collect data and information related to issues of gender equality in the workplace; requiring the ~~{Office on an annual basis to create and maintain a gender equality index and}~~ **Secretary of State to make certain information relating to the survey available on the Internet and to certain educational institutions and to** submit ~~{an annual report regarding the survey to the Governor and the Director of the Legislative Counsel Bureau ; on issues of gender equality in the workplace;}~~ and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 3 of this bill requires the ~~{Office of Economic Development}~~ **Secretary of State** to design and conduct an annual survey of ~~{employers}~~ **businesses which are applying for or renewing a state business registration** in this State ~~{with 50 or more employees}~~ to collect data and information related to issues of gender equality in the workplace. ~~{The Office must use the data and information to create and maintain a gender equality index that scores or rates each employer on issues of gender equality in the workplace. The index must be made}~~ **Section 3 provides that a response to the survey is voluntary but requires that any response be signed under the penalty of perjury. Section 3.3 of this bill requires the Secretary of State to make available : (1) the responses to the survey on the Internet website of the Office ~~{of the Secretary of State; and {the Office must}}~~ (2) upon request, aggregate data relating to the survey to researchers at certain educational institutions. Section 3.3 also requires the Secretary of State to submit an annual report on the survey to the Governor and the Director of the Legislative Counsel Bureau ~~{on issues of gender equality in the workplace.}~~**

~~Section 4 of this bill provides that if an employer does not respond to the Office's survey, the Office may rate the employer on issues of gender equality if the Office is otherwise able to obtain sufficient information about the employer.~~

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

Section 1. Chapter ~~225~~ 225 of NRS is hereby amended by adding thereto the provisions set forth as sections ~~2, 3 and 4~~ 2 to 4, inclusive, of this act.

Sec. 2. ~~“Employer” means any entity that performs a service or engages in a trade for profit and has 50 or more employees.~~ (Deleted by amendment.)

Sec. 2.5. As used in sections 2.5 to 3.7, inclusive, of this act, “business” has the meaning ascribed to it in NRS 76.020.

Sec. 3. ~~Under the direction of the Executive Director, the Office shall:~~

1. ~~Design~~ The Secretary of State shall design and conduct an annual survey of ~~employers~~ businesses in this State for the purpose of collecting data and information ~~from each employer~~ related to issues of gender equality in the workplace. ~~The survey may be conducted using a web-based system.~~

2. ~~On or before July 1 of each year, use the data and information collected pursuant to such survey:~~

~~(a) To create and maintain a gender equality index that scores or rates each employer on issues of gender equality in the workplace. The index must be made available on the Internet website of the Office;~~

~~(b) To create and submit a report to the Governor and the Director of the Legislative Counsel Bureau on issues of gender equality in the workplace.~~ The Secretary of State shall consult with the Nevada Commission for Women created by NRS 2331.020 regarding the design of the survey.

3. The Secretary of State shall cause the survey to be provided to each business in this State at the time the business submits to the Secretary of State an application for a state business registration pursuant to NRS 76.100 or a renewal of a state business registration pursuant to NRS 76.130.

4. A business is not required to respond to the survey, and the Secretary of State shall not penalize or otherwise take any adverse action against a business that does not respond to the survey.

5. If a business responds to the survey, the response must be signed under penalty of perjury by, as applicable:

(a) The owner of a business that is owned by a natural person;

(b) A member or partner of an association or partnership;

(c) A general partner of a limited partnership;

(d) A managing partner of a limited-liability partnership;

(e) A manager or managing member of a limited-liability company; or

(f) An officer of a corporation or some other person specifically authorized by the corporation to sign the response.

6. The Secretary of State shall authorize and provide for:

(a) A business to receive the survey electronically and to submit electronically its response to the survey; and

(b) A person who signs a response to the survey pursuant to subsection 5 to sign the response electronically.

Sec. 3.3. 1. The Secretary of State shall make available:

(a) The responses to the survey conducted pursuant to section 3 of this act on the Internet website of the Office of the Secretary of State in such a manner that the responses are accessible electronically by the name of the business that submitted the response; and

(b) Aggregate data relating to the survey conducted pursuant to section 3 of this act for research purposes, to any college, university or institute that is part of or affiliated with the Nevada System of Higher Education upon request.

2. The Secretary of State shall annually compile the responses to the survey received during the immediately preceding year into a report and submit the report to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature, or if the Legislature is not in session, to the Legislative Commission.

Sec. 3.7. The Secretary of State may adopt such regulations as he or she determines to be necessary or advisable to carry out the provisions of sections 3 and 3.3 of this act.

~~Sec. 4. If an employer does not respond to a survey conducted pursuant to section 3 of this act, the Office may rate the employer on issues of gender equality if the Office is otherwise able to obtain sufficient information about the employer on such issues. (Deleted by amendment.)~~

~~Sec. 5. NRS 231.002 is hereby amended to read as follows:
231.002 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 231.003 to 231.009, inclusive, and section 2 of this act have the meanings ascribed to them in those sections. (Deleted by amendment.)~~

~~Sec. 6. NRS 231.052 is hereby amended to read as follows:
231.052 After considering any advice and recommendations of the Board, the Executive Director:~~

~~1. Shall direct and supervise the administrative and technical activities of the Office.~~

~~2. Shall develop and may periodically revise a State Plan for Economic Development, which:~~

~~(a) Must include a statement of:~~

~~(1) New industries which have the potential to be developed in this State;~~

~~(2) The strengths and weaknesses of this State for business incubation;~~

~~(3) The competitive advantages and weaknesses of this State;~~

~~(4) The manner in which this State can leverage its competitive advantages and address its competitive weaknesses;~~

~~(5) A strategy to encourage the creation and expansion of businesses in this State and the relocation of businesses to this State; and~~

~~(6) Potential partners for the implementation of the strategy, including, without limitation, the Federal Government, local governments, local and regional organizations for economic development, chambers of commerce, and private businesses, investors and nonprofit entities; and~~

~~(b) Must not include provisions for the granting of any abatement, partial abatement or exemption from taxes or any other incentive for economic development to a person who will locate or expand a business in this State that is subject to the tax imposed pursuant to NRS 362.120 or the gaming license fees imposed by the provisions of NRS 462.370.~~

~~3. Shall develop criteria for the designation of regional development authorities pursuant to subsection 4.~~

~~4. Shall designate as many regional development authorities for each region of this State as the Executive Director determines to be appropriate to implement the State Plan for Economic Development. In designating regional development authorities, the Executive Director must consult with local governmental entities affected by the designation. The Executive Director may, if he or she determines that such action would aid in the implementation of the State Plan for Economic Development, remove the designation of any regional development authority~~

1 ~~previously designated pursuant to this section and declare void any contract~~
2 ~~between the Office and that regional development authority.~~

3 ~~5. Shall establish procedures for entering into contracts with regional~~
4 ~~development authorities to provide services to aid, promote and encourage the~~
5 ~~economic development of this State.~~

6 ~~6. May apply for and accept any gift, donation, bequest, grant or other source~~
7 ~~of money to carry out the provisions of NRS 231.020 to 231.139, inclusive, and~~
8 ~~231.1555 to 231.1597, inclusive.~~

9 ~~7. May adopt such regulations as may be necessary to carry out the provisions~~
10 ~~of NRS 231.020 to 231.139, inclusive, and sections 3 and 4 of this act, and~~
11 ~~231.1555 to 231.1597, inclusive.~~

12 ~~8. In a manner consistent with the laws of this State, may reorganize the~~
13 ~~programs of economic development in this State to further the State Plan for~~
14 ~~Economic Development. If, in the opinion of the Executive Director, changes to the~~
15 ~~laws of this State are necessary to implement the economic development strategy~~
16 ~~for this State, the Executive Director must recommend the changes to the Governor~~
17 ~~and the Legislature. (Deleted by amendment.)~~

18 **Sec. 7.** The provisions of subsection 1 of NRS 218D.380 do not apply to any
19 provision of this act which adds or revises a requirement to submit a report to the
20 Legislature.

21 **Sec. 7.5.** The Secretary of State shall design and begin conducting the
22 initial survey required by section 3 of this act before January 1, 2018.

23 **Sec. 8.** This act becomes effective on July 1, 2017.