

Amendment No. 916

Assembly Amendment to Senate Bill No. 311	(BDR 52-1048)
Proposed by: Assembly Committee on Commerce and Labor	
Amendment Box: Replaces Amendment No. 757.	
Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: Yes 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.

BRU/WLK



Date: 5/23/2019

S.B. No. 311—Prohibits certain discriminatory practices against a person seeking credit. (BDR 52-1048)



SENATE BILL NO. 311—SENATORS PARKS, D. HARRIS, BROOKS;
SPEARMAN AND WOODHOUSE

MARCH 18, 2019

JOINT SPONSORS: ASSEMBLYMEN JAUREGUI, MCCURDY, SPIEGEL AND TOLLES

Referred to Committee on Commerce and Labor

SUMMARY—~~[Prohibits]~~ Revises provisions prohibiting certain discriminatory practices against a person seeking credit. (BDR 52-1048)FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
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 credit; prohibiting discrimination against a person who seeks to obtain credit; revising provisions governing discrimination based on the marital status of a person who seeks to obtain credit; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires that any person seeking credit be afforded equal opportunity to have their creditworthiness evaluated under the same relevant economic standards and without any discrimination on the basis of their sex or marital status. (NRS 598B.020, 598B.100) Section 2 of this bill defines marital status. Section 3 of this bill permits an applicant for credit who has no credit history and was married to request that a creditor deem the applicant's credit history to be identical to that of the applicant's spouse during their marriage. Under section 3, the failure of a creditor to comply with such a request is deemed to be discrimination based on marital status. Sections ~~4~~ 4 and ~~5~~ 7 of this bill expand the protection against discrimination to include race, color, creed, religion, disability, national origin or ancestry, sexual orientation, and gender identity or expression. Section ~~6~~ 6 of this bill requires the Commissioner of Financial Institutions to study the nature and extent of any discrimination based on race, color, creed, religion, disability, national origin or ancestry, sexual orientation, and gender identity or expression. Section ~~7~~ 6 also requires the Commissioner of Financial Institutions to cooperate with and assist in programs to prevent or eliminate such discrimination.

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

Section 1. Chapter 598B of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. "Marital status" means all states of being married or unmarried, and includes, without limitation, the states of being single, married, separated, divorced or widowed.

Sec. 3. 1. If an applicant for credit:

(a) Has no credit history;

(b) Was or is married;

(c) Requests that the creditor deem the credit history of the applicant to be identical to the credit history of the applicant's spouse which was established during the marriage referenced in paragraph (b); and

(d) If requested by the creditor, provides, with regard to the marriage referenced in paragraph (b), evidence of:

(1) The existence of the marriage; and

(2) The date of the marriage and, if applicable, the date the marriage ended.

↪ The creditor must deem the credit history of the applicant to be identical to the credit history of the applicant's spouse which was established during the marriage referenced in paragraph (b).

2. Violation of this section by a creditor shall be deemed to be discrimination based on marital status.

Sec. 4. NRS 598B.020 is hereby amended to read as follows:

598B.020 It is hereby declared to be the public policy of the State of Nevada that all people in the State desiring to obtain credit shall be afforded equal opportunity to have their creditworthiness evaluated under the same relevant economic standards and without any discrimination on the basis of their *race, color, creed, religion, disability, national origin or ancestry*, sex, *sexual orientation, gender identity or expression*, or marital status.

Sec. 5. NRS 598B.030 is hereby amended to read as follows:

598B.030 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 598B.040 to 598B.080, inclusive, and section 2 of this act have the meanings ascribed to them in such sections.

~~[Sec. 2.]~~ **Sec. 6. NRS 598B.090 is hereby amended to read as follows:**

598B.090 The Commissioner of Financial Institutions through the Division shall:

1. Administer the provisions of this chapter;

2. Study the nature and extent of any discrimination as to *race, color, creed, religion, disability, national origin or ancestry*, sex, *sexual orientation, gender identity or expression*, or marital status in credit practices in this state; and

3. Cooperate with and assist all public and private agencies, organizations and institutions which are formulating or carrying on programs to prevent or eliminate discrimination on the basis of *race, color, creed, religion, disability, national origin or ancestry*, sex, *sexual orientation, gender identity or expression*, or marital status in credit practices.

~~[Sec. 3.]~~ **Sec. 7. NRS 598B.100 is hereby amended to read as follows:**

598B.100 It is unlawful for any creditor to discriminate against any applicant on the basis of the applicant's *race, color, creed, religion, disability, national origin or ancestry*, sex, *sexual orientation, gender identity or expression*, or marital status with respect to any aspect of a credit transaction.