

SENATE BILL NO. 229—SENATOR DENIS

FEBRUARY 18, 2019

JOINT SPONSORS: ASSEMBLYMEN FLORES; DURAN,
MARTINEZ AND TORRES

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to certain businesses.
(BDR 54-823)

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 public accommodations; prohibiting an owner or keeper of any hotel, inn, motel, motor court, boardinghouse or other establishment which provides lodging for transient guests in this State from disclosing certain information to certain persons and entities for any purpose relating to the enforcement of immigration laws; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prohibits the Director of the Department of Motor Vehicles from releasing any information from the files and records of the Department relating to legal presence to any person or federal, state or local governmental entity for any purpose relating to the enforcement of immigration laws. (NRS 481.063)

Section 5 of this bill prohibits an owner or keeper of any hotel, inn, motel, motor court, boardinghouse or other establishment which provides lodging for transient guests in this State from releasing any information from the files and records relating to a guest or patron of the hotel, inn, motel, motor court, boardinghouse or other establishment which provides lodging for transient guests in this State to any person or federal, state or local governmental entity for any purpose relating to the enforcement of immigration laws. **Section 6** of this bill authorizes the district attorney of any county wherein the hotel, inn, motel, motor court, boardinghouse or other establishment which provides lodging for transient guests in this State is located, or any person whose information was released in violation of **section 5** to institute civil proceedings for actual damages.



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

Section 1. Chapter 651 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this act.

Sec. 2. *As used in sections 2 to 6, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 and 4 of this act have the meanings ascribed to them in those sections.*

Sec. 3. *“Hotel” means every building or structure kept as, used as, maintained as or held out to the public to be, a place where sleeping or rooming accommodations are furnished to the transient public, whether with or without meals, including, without limitation, a lodging house or rooming house where transient trade is solicited.*

Sec. 4. *“Information relating to legal presence” means information that may reveal whether a person is legally present in the United States.*

Sec. 5. *An owner or keeper of any hotel, inn, motel, motor court, boardinghouse or other establishment which provides lodging for transient guests in this State shall not release any information relating to legal presence or any other information relating to or describing immigration status, nationality or citizenship from a file or record relating to a guest or patron of the hotel, inn, motel, motor court, boardinghouse or other establishment which provides lodging for transient guests in this State to any person or to any federal, state or local governmental entity for any purpose relating to the enforcement of immigration laws.*

Sec. 6. 1. *The district attorney of any county wherein the hotel, inn, motel, motor court, boardinghouse or other establishment which provides lodging for transient guests in this State is located, or any person whose information is released in violation of section 5 of this act, may institute civil proceedings against any owner or keeper of any hotel, inn, motel, motor court, boardinghouse or other establishment which provides lodging for transient guests in this State for failing to comply with section 5 of this act in a civil action for actual damages.*

2. *In an action brought pursuant to this section, the court may:*

(a) Grant any equitable relief it considers appropriate; and

(b) Award costs and reasonable attorney’s fees to the prevailing party.



1 **Sec. 7.** This act becomes effective on July 1, 2019.

