

SENATE BILL NO. 290—SENATORS CANNIZZARO AND LANGE

MARCH 15, 2023

Referred to Committee on Commerce and Labor

**SUMMARY**—Provides for the regulation of employer-integrated earned wage access providers. (BDR 52-9)

**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 financial services; requiring a person who provides employer-integrated earned wage access services to obtain a license from the Commissioner of Financial Institutions; imposing certain requirements on such licensees; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

**Sections 2-33** of this bill establish provisions relating to a business that is employer-integrated and delivers to a person money that represents income that the person has earned for services rendered to an employer but that has not yet been paid to the person. **Section 9** of this bill defines “employer-integrated earned wage access provider” as a person who provides such a service after verifying the earned income of the user through information provided by the user’s employer, or a person who provides payroll services to that employer, concerning the attendance and earnings of the user for the relevant pay period.

**Section 12** of this bill prohibits a person from engaging in the business of an employer-integrated earned wage access provider without a license issued by the Commissioner of Financial Institutions. **Sections 12-15** of this bill set forth certain requirements for licensure as an employer-integrated earned wage access provider. **Section 16** of this bill requires each holder of a license as an employer-integrated earned wage access provider to maintain a surety bond. **Sections 18-20** of this bill authorize the Commissioner to conduct certain examinations of licensees. **Section 21** of this bill requires the Commissioner to charge a fee for such examinations. **Sections 22-24** of this bill set forth certain procedures for disciplinary actions against a licensee or person who violates the provisions of this bill. **Section 25** of this bill sets forth a process for filing complaints against a licensee. **Section 34** of this bill makes a conforming change relating to the confidentiality of the information collected by a governmental agency related to a complaint filed against a licensee. **Sections 26 and 27** of this bill require a licensee to submit a notice to and obtain the approval of the Commissioner before taking certain actions.



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**Section 28** of this bill requires a licensee to submit certain information to the Commissioner annually.

**Section 29** of this bill sets forth certain requirements for the operation of an employer-integrated earned wage access provider. **Section 30** of this bill provides that if an employer-integrated earned wage access provider is unable to be repaid the amount of money delivered to a recipient of earned wage access services, the provider is prohibited from: (1) collecting that money from the recipient; (2) reporting certain information to a consumer reporting agency; or (3) debiting the bank account of the user without his or her affirmative consent. **Section 31** of this bill prohibits an employer-integrated earned wage access provider from sharing certain fees with or paying certain compensation to an employer.

**Section 33** of this bill provides that earned wage access services provided by an employer-integrated earned wage access provider are not a loan and are not subject to any provisions of existing law governing loans. **Section 35** of this bill provides that the provisions of existing law governing persons engaged in the business of transmitting money do not apply to an employer-integrated earned wage access provider.

**Section 32** of this bill authorizes the Commissioner to adopt regulations for the administration and enforcement of **sections 2-33**. **Section 36** of this bill requires the Commissioner to, on or before December 31, 2025, submit a report to the Legislature containing certain information relating to the regulation of earned wage access services.

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

**Section 1.** Title 52 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to 33, inclusive, of this act.

**Sec. 2.** *As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 3 to 11, inclusive, of this act have the meanings ascribed to them in those sections.*

**Sec. 3.** *“Commissioner” means the Commissioner of Financial Institutions.*

**Sec. 4.** *“Earned but unpaid income” means earned income that has not yet been paid to the user by an employer.*

**Sec. 5.** *“Earned income” means money that has accrued to the benefit of a user for services rendered to an employer.*

**Sec. 6.** *“Earned wage access provider” means a person who is engaged in the business of providing earned wage access services to a user in this State.*

**Sec. 7.** *“Earned wage access services” means the delivery to a user of money that represents earned but unpaid income.*

**Sec. 8. 1. “Employer” means:**

*(a) A person who employs a user; or*



(b) Any other person who is contractually obligated to pay a user any sum of money on an hourly, project-based, piecework or other basis for services provided by the user.

2. The term does not include:

(a) A customer of an employer; or

(b) Any other person whose obligation to make a payment to a user is based solely on an agency relationship between the user and the employer.

**Sec. 9.** “Employer-integrated earned wage access provider” means an earned wage access provider who provides earned wage access services to a user after verifying the user’s earned income through timely data concerning the attendance or earnings, or both, of the user for the relevant pay period which is provided by the employer or a person who provides payroll services to the employer.

**Sec. 10.** “Licensee” means a person who has been issued one or more licenses to engage in the business of an employer-integrated earned wage access provider.

**Sec. 11.** “User” means a natural person who receives earned wage access services.

**Sec. 12. 1.** A person shall not engage in the business of an employer-integrated earned wage access provider unless the person has been issued a license by the Commissioner pursuant to this section.

2. A person who wishes to be licensed as an employer-integrated earned wage access provider must submit to the Commissioner the fee established pursuant to subsection 5 and an application, on a form prescribed by the Commissioner, which must contain:

(a) The name and address of the applicant;

(b) Financial statements of the applicant for the immediately preceding year which have been audited by an independent certified public accountant;

(c) A copy of the proposed terms and conditions or terms of use which will govern the provision of earned wage access services by the applicant;

(d) A copy of the policy of the applicant relating to the privacy of information concerning users;

(e) The schedule of fees proposed to be charged to a user or employer for the provision of earned wage access services; and

(f) Any other information required by any regulations adopted by the Commissioner pursuant to section 32 of this act.

3. Upon receipt of the application and when satisfied that the applicant is entitled thereto, the Commissioner shall issue to the



1 *applicant a license as an employer-integrated earned wage access*  
2 *provider.*

3 4. *Except as otherwise provided by regulation of the*  
4 *Commissioner, a license issued pursuant to this section expires*  
5 *annually on the anniversary date of the issuance of the license*  
6 *and may be renewed upon submission of an application for*  
7 *renewal containing such information as the Commissioner may*  
8 *require by regulation.*

9 5. *The Commissioner shall establish by regulation fees for*  
10 *the issuance and renewal of a license issued pursuant to this*  
11 *section.*

12 6. *A license issued pursuant to this section is not*  
13 *transferrable or assignable.*

14 **Sec. 13.** 1. *In addition to any other requirements set forth*  
15 *in this chapter, each applicant for licensure as an employer-*  
16 *integrated earned wage access provider must submit:*

17 (a) *Proof satisfactory to the Commissioner that the applicant:*

18 (1) *Is competent to transact the business of an employer-*  
19 *integrated earned wage access provider.*

20 (2) *Has not made a false statement on the application for*  
21 *the license.*

22 (3) *Has not committed any of the acts specified in*  
23 *subsection 2.*

24 (4) *Has not had a license as an employer-integrated earned*  
25 *wage access provider suspended or revoked within the 10 years*  
26 *immediately preceding the date of the application.*

27 (5) *Has not been convicted of, or entered a plea of nolo*  
28 *contendere to, a felony or any crime involving fraud,*  
29 *misrepresentation or moral turpitude.*

30 (6) *If the applicant is a natural person:*

31 (I) *Is at least 21 years of age; and*

32 (II) *Is a citizen of the United States or lawfully entitled*  
33 *to work in the United States.*

34 (b) *A complete set of his or her fingerprints and written*  
35 *permission authorizing the Division of Financial Institutions of*  
36 *the Department of Business and Industry to forward the*  
37 *fingerprints to the Central Repository for Nevada Records of*  
38 *Criminal History for submission to the Federal Bureau of*  
39 *Investigation for its report.*

40 2. *In addition to any other lawful reasons, the Commissioner*  
41 *may refuse to issue a license to an applicant for licensure as an*  
42 *employer-integrated earned wage access provider if the applicant:*

43 (a) *Has committed or participated in any act for which, if*  
44 *committed or done by a licensee, would be grounds for the*  
45 *suspension or revocation of the license.*



(b) Has previously been refused a license pursuant to this chapter or has had such a license suspended or revoked.

(c) Has participated in any act which was a basis for the refusal or revocation of a license pursuant to this chapter.

(d) Has falsified any of the information submitted to the Commissioner in support of the application for the license.

**Sec. 14. 1.** In addition to the requirements set forth in sections 12 and 13 of this act, a natural person who applies for the issuance or renewal of a license as an employer-integrated earned wage access provider shall:

(a) Include the social security number of the applicant in the application submitted to the Commissioner; and

(b) Submit to the Commissioner the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The Commissioner shall include the statement required pursuant to paragraph (b) of subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license; or

(b) A separate form prescribed by the Commissioner.

3. A license as an employer-integrated earned wage access provider may not be issued or renewed by the Commissioner if the applicant:

(a) Fails to submit the statement required pursuant to paragraph (b) of subsection 1; or

(b) Indicates on the statement submitted pursuant to paragraph (b) of subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to paragraph (b) of subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Commissioner shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

**Sec. 15. 1.** If the Commissioner receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the



holder of a license as an employer-integrated earned wage access provider, the Commissioner shall deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Commissioner receives a letter issued to the holder of the license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The Commissioner shall reinstate a license as an employer-integrated earned wage access provider that has been suspended by a district court pursuant to NRS 425.540 if the Commissioner receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

**Sec. 16.** 1. Each licensee shall have in force a surety bond payable to the State of Nevada in the amount of \$35,000.

2. The bond must be in a form satisfactory to the Commissioner, issued by a bonding company authorized to do business in this State and must secure the faithful performance of the obligations of the licensee respecting the provision of earned wage access services.

3. A licensee shall, within 10 days after the commencement of any action or notice of entry of any judgment against the licensee by any creditor or claimant arising out of the business of an employer-integrated earned wage access provider, give notice thereof to the Commissioner by registered or certified mail with details sufficient to identify the action or judgment. The surety shall, within 10 days after it pays any claim or judgment to a creditor or claimant, give notice thereof to the Commissioner by certified mail with details sufficient to identify the creditor or claimant and the claim or judgment so paid.

4. Whenever the principal sum of the bond is reduced by recoveries or payments thereon, the licensee shall furnish:

(a) A new or additional bond so that the total or aggregate principal sum of the bonds equals the sum required pursuant to subsection 1; or

(b) An endorsement, duly executed by the surety, reinstating the bond to the required principal sum.

5. The liability of the surety on a bond to a creditor or claimant is not affected by any misrepresentation, breach of warranty, failure to pay a premium or other act or omission of the licensee, or by any insolvency or bankruptcy of the licensee.



6. *The liability of the surety continues as to all transactions entered into in good faith by the creditors and claimants with the agents of the licensee within 30 days after:*

(a) *The death of the licensee or the dissolution or liquidation of the business of the licensee; or*

(b) *The termination of the bond,*  
↳ *whichever occurs first.*

**Sec. 17.** *Each license as an employer-integrated earned wage access provider shall remain in full force and effect until it expires or is surrendered, revoked or suspended as provided in this chapter and the regulations adopted pursuant thereto.*

**Sec. 18. 1.** *For the purpose of discovering violations of this chapter or securing information lawfully required under this chapter, the Commissioner or his or her duly authorized representative may, upon reasonable prior notice, examine the books, accounts, papers and records used in the business of:*

(a) *Any licensee;*

(b) *Any other person engaged in the business of an employer-integrated earned wage access provider or participating in such business as a principal, agent, broker or otherwise; and*

(c) *Any person who the Commissioner has reasonable cause to believe is violating or is about to violate any provision of this chapter, whether or not the person claims to be within the authority or beyond the scope of this chapter.*

2. *For the purposes of examination, the Commissioner or his or her authorized representative shall have and be given free access to the offices and places of business, and the files, safes and vaults of such persons.*

3. *For the purposes of this section, any person who advertises for, solicits or holds himself or herself out as willing to provide earned wage access services through a contractual arrangement with an employer is presumed to be engaged in the business of an employer-integrated earned wage access provider.*

4. *This section does not entitle the Commissioner or his or her authorized representative to investigate the business or examine the books, accounts, papers or records of any attorney who is not a person described in subsection 1, other than examination of those books, accounts, papers and records maintained by such attorney in his or her capacity as a registered agent, and then only to the extent such books, accounts, papers and records are not subject to any privilege in NRS 49.035 to 49.115, inclusive.*

**Sec. 19. 1.** *The Commissioner may require the attendance of any person and examine him or her under oath regarding:*

(a) *Any licensee; or*



(b) *The subject matter of any audit, examination, investigation or hearing.*

2. *The Commissioner may require the production of books, accounts, papers and records for any audit, examination, investigation or hearing.*

**Sec. 20.** *The Commissioner or his or her authorized representative may annually make an examination of the place of business of each licensee and of the transactions, books, accounts, papers and records of the person as they pertain to the business of an employer-integrated earned wage access provider.*

**Sec. 21.** 1. *The Commissioner shall charge and collect from each licensee a fee at the rate established and, if applicable, adjusted pursuant to NRS 658.101 for the cost of any supervision, audit, examination, investigation or hearing conducted pursuant to this chapter or any regulations adopted pursuant thereto.*

2. *All money collected by the Commissioner pursuant to subsection 1 must be deposited in the State Treasury pursuant to the provisions of NRS 658.091.*

**Sec. 22.** *If the Commissioner finds that probable cause for revocation of a license of a licensee exists and that enforcement of this chapter requires immediate suspension of such a license pending investigation, he or she may, upon 5 days' written notice and a hearing, enter an order suspending the license for a period of not more than 20 days, pending a hearing about the revocation.*

**Sec. 23.** 1. *Whenever the Commissioner has reasonable cause to believe that any person is violating or is threatening to or intends to violate any provision of this chapter, the Commissioner may, in addition to all actions provided for in this chapter and without prejudice thereto, enter an order requiring the person to desist or to refrain from such violation.*

2. *The Attorney General or the Commissioner may bring an action to enjoin a person from engaging in or continuing a violation or from doing any act or acts in furtherance thereof. In any such action, an order or judgment may be entered awarding a preliminary or final injunction as may be deemed proper.*

**Sec. 24.** *If the Commissioner has reason to believe that grounds for revocation or suspension of a license of a licensee exist, he or she shall notify the licensee not later than 20 days before the date of the hearing. Such notice must state the contemplated action and, in general, the grounds therefor and set a date for a hearing.*

**Sec. 25.** 1. *A user, an attorney for a user or any other person who believes that any provision of this chapter has been violated may file a complaint with the Commissioner. Such a complaint must include:*



(a) *The full name and address of the person filing the complaint;*

(b) *A clear and concise statement of facts sufficient to establish that the alleged violation occurred, including, without limitation, the date, time and place of the alleged violation and the name of each person involved in the alleged violation; and*

(c) *A certification by the person filing the complaint that the facts alleged in the complaint are true to the best knowledge and belief of the person.*

2. *Upon receipt of a complaint filed pursuant to subsection 1, the Commissioner shall send a copy of the complaint to the accused licensee. The licensee, or an authorized representative of the licensee, shall file a verified answer to the complaint within 10 business days after receipt of the complaint, unless for good cause shown, the Commissioner extends the time for a period of not more than 30 days. If the licensee, or an authorized representative of the licensee, fails to file a verified answer within the time required by this subsection, the licensee shall be deemed to have admitted to the allegations contained in the complaint.*

3. *The Commissioner may make investigations and conduct hearings concerning complaints filed with the Commissioner pursuant to this section.*

4. *Except as otherwise provided in this section, a complaint filed with the Commissioner pursuant to subsection 1, all documents and other information filed with the complaint and all documents, reports and other information resulting from the investigation of the complaint are confidential and may be disclosed only as the Commissioner deems necessary to administer the provisions of this chapter.*

**Sec. 26.** 1. *A licensee shall not make any of the following changes unless the licensee has obtained the prior approval of the Commissioner in accordance with the provisions of this section:*

(a) *A change in the ownership of 20 percent or more of the capital stock or other equivalent ownership interest of the licensee;*

(b) *A change in control of the licensee;*

(c) *A change in the name of the licensee, including the name under which the licensee is doing business; or*

(d) *A change in the principal business address of the licensee or in the address of any office of the licensee in this State.*

2. *A licensee who wishes to make any change described in subsection 1 must, not less than 10 business days before the date on which the change is to occur, submit a notice to the Commissioner. Such notice must include any information that the Commissioner may require.*



3. Upon receipt of a notice submitted pursuant to subsection 2, the Commissioner shall approve or disapprove the proposed change. The Commissioner may disapprove a proposed change if, in the reasonable judgment of the Commissioner, the proposed change is inconsistent with the requirements of this chapter. If the Commissioner does not respond to a licensee who submits a notice pursuant to subsection 2, including, without limitation, any request by the Commissioner for additional information from the licensee, within 10 business days of the date on which the notice was submitted, the proposed change shall be deemed approved.

4. As used in this section, “control” means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policy of the licensee.

**Sec. 27.** In addition to the notice requirements set forth in section 26 of this act, a licensee must, before making a change in the principal officers or directors of a licensee, submit a notice to the Commissioner within a time period prescribed by the Commissioner. If the submission of such a notice is not possible before the change due to the unilateral resignation of a principal officer or director or other similar circumstance, the licensee must submit to the Commissioner a notice as promptly as possible after such a change. If, in the reasonable judgment of the Commissioner, the change in the principal officers or directors of the licensee is inconsistent with the requirements of this chapter, the Commissioner may require the licensee to take such action as the Commissioner deems necessary to ensure compliance with the provisions of this chapter.

**Sec. 28. 1.** On or before April 15 of each year, a licensee shall submit to the Commissioner:

(a) Except as otherwise provided in subsection 2, financial statements for the immediately preceding year that have been audited by an independent certified public accountant; and

(b) A copy of each complaint that has been filed against the licensee with the Better Business Bureau or the Consumer Financial Protection Bureau and a description of the resolution, if any, of each such complaint.

2. If audited financial statements are not available to a licensee on or before April 15 in any year, the licensee may satisfy the requirements of paragraph (a) of subsection 1 by submitting to the Commissioner:

(a) Unaudited financial statements on or before April 15; and  
(b) Audited financial statements when such statements become available to the licensee.

**Sec. 29.** An employer-integrated earned wage access provider shall:



1     1. *Develop and implement policies and procedures to respond*  
2 *to questions raised by users and address complaints from users in*  
3 *an expedient manner;*

4     2. *Before entering into an agreement with a user for the*  
5 *provision of earned wage access services:*

6       (a) *Inform the user of his or her rights under the agreement;*  
7 *and*

8       (b) *Fully and clearly disclose all fees associated with the*  
9 *earned wage access services;*

10     3. *Allow the user to cancel, at any time and without incurring*  
11 *a fee, his or her participation in an agreement for the provision of*  
12 *earned wage access services; and*

13     4. *Comply with all local, state and federal privacy and*  
14 *information security laws.*

15     **Sec. 30.** 1. *If an employer-integrated earned wage access*  
16 *provider provides earned wage access services to a user and is*  
17 *unable to be repaid the amount of money delivered to the user, the*  
18 *provider shall not, absent intentional and willful fraud by the*  
19 *user:*

20       (a) *Collect that money from the user without his or her*  
21 *affirmative consent;*

22       (b) *Report any of the user's information or information*  
23 *regarding the inability of the provider to be repaid to a consumer*  
24 *reporting agency; or*

25       (c) *Debit the bank account of the user without his or her*  
26 *affirmative consent.*

27     2. *As used in this section, "consumer reporting agency" has*  
28 *the meaning ascribed to it in NRS 686A.640.*

29     **Sec. 31.** *An employer-integrated earned wage access provider*  
30 *shall not:*

31       1. *Share with an employer any fees that were received from*  
32 *or charged to a user; or*

33       2. *Pay any other compensation to an employer that is directly*  
34 *related to any fees received from or charged to a user.*

35     **Sec. 32.** *The Commissioner may adopt regulations for the*  
36 *administration and enforcement of this chapter, in addition to and*  
37 *not inconsistent with this chapter. Such regulations may include,*  
38 *without limitation, requirements relating to the retention of*  
39 *records by an employer-integrated earned wage access provider.*

40     **Sec. 33.** *Nothing in this chapter shall be construed to cause*  
41 *any earned wage access services provided by an employer-*  
42 *integrated earned wage access provider in compliance with this*  
43 *chapter to be deemed a loan or money transmission, or to be*  
44 *subject to any of the provisions of law governing loans or money*  
45 *transmitters. Earned wage access services provided by an*



*employer-integrated earned wage access provider in compliance with this chapter are not subject to any other statutory or regulatory provisions governing loans or money transmission. If there is a conflict between the provisions of this chapter and any other statute, the provisions of this chapter control.*

**Sec. 34.** NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095, 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 224.240, 226.300, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 232.1369, 233.190, 237.300, 239.0105, 239.0113, 239.014, 239B.026, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150, 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 284.4086, 286.110, 286.118, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.2242, 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035, 391.0365, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 393.045,



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18 484B.833, 484E.070, 485.316, 501.344, 503.452, 522.040,  
19 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098,  
20 598A.110, 598A.420, 599B.090, 603.070, 603A.210, 604A.303,  
21 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350,  
22 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110,  
23 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,  
24 628B.760, 629.047, 629.069, 630.133, 630.2671, 630.2672,  
25 630.2673, 630.30665, 630.336, 630A.327, 630A.555, 631.332,  
26 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405, 633.283,  
27 633.301, 633.4715, 633.4716, 633.4717, 633.524, 634.055,  
28 634.1303, 634.214, 634A.169, 634A.185, 635.111, 635.158,  
29 636.262, 636.342, 637.085, 637.145, 637B.192, 637B.288, 638.087,  
30 638.089, 639.183, 639.2485, 639.570, 640.075, 640.152, 640A.185,  
31 640A.220, 640B.405, 640B.730, 640C.580, 640C.600, 640C.620,  
32 640C.745, 640C.760, 640D.135, 640D.190, 640E.225, 640E.340,  
33 641.090, 641.221, 641.2215, 641.325, 641A.191, 641A.217,  
34 641A.262, 641B.170, 641B.281, 641B.282, 641C.455, 641C.760,  
35 641D.260, 641D.320, 642.524, 643.189, 644A.870, 645.180,  
36 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,  
37 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,  
38 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.126,  
39 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130,  
40 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480,  
41 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710,  
42 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190,  
43 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410,  
44 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306,  
45 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480,



1 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536,  
2 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550,  
3 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159,  
4 711.600, *and section 25 of this act*, sections 35, 38 and 41 of  
5 chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391,  
6 Statutes of Nevada 2013 and unless otherwise declared by law to be  
7 confidential, all public books and public records of a governmental  
8 entity must be open at all times during office hours to inspection by  
9 any person, and may be fully copied or an abstract or memorandum  
10 may be prepared from those public books and public records. Any  
11 such copies, abstracts or memoranda may be used to supply the  
12 general public with copies, abstracts or memoranda of the records or  
13 may be used in any other way to the advantage of the governmental  
14 entity or of the general public. This section does not supersede or in  
15 any manner affect the federal laws governing copyrights or enlarge,  
16 diminish or affect in any other manner the rights of a person in any  
17 written book or record which is copyrighted pursuant to federal law.

18 2. A governmental entity may not reject a book or record  
19 which is copyrighted solely because it is copyrighted.

20 3. A governmental entity that has legal custody or control of a  
21 public book or record shall not deny a request made pursuant to  
22 subsection 1 to inspect or copy or receive a copy of a public book or  
23 record on the basis that the requested public book or record contains  
24 information that is confidential if the governmental entity can  
25 redact, delete, conceal or separate, including, without limitation,  
26 electronically, the confidential information from the information  
27 included in the public book or record that is not otherwise  
28 confidential.

29 4. If requested, a governmental entity shall provide a copy of a  
30 public record in an electronic format by means of an electronic  
31 medium. Nothing in this subsection requires a governmental entity  
32 to provide a copy of a public record in an electronic format or by  
33 means of an electronic medium if:

34 (a) The public record:

35 (1) Was not created or prepared in an electronic format; and

36 (2) Is not available in an electronic format; or

37 (b) Providing the public record in an electronic format or by  
38 means of an electronic medium would:

39 (1) Give access to proprietary software; or

40 (2) Require the production of information that is confidential  
41 and that cannot be redacted, deleted, concealed or separated from  
42 information that is not otherwise confidential.

43 5. An officer, employee or agent of a governmental entity who  
44 has legal custody or control of a public record:



(a) Shall not refuse to provide a copy of that public record in the medium that is requested because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.

(b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself.

**Sec. 35.** NRS 671.020 is hereby amended to read as follows:

671.020 1. This chapter does not apply to any:

(a) Bank, its parent or holding company or any subsidiary thereof, trust company, savings bank, savings and loan association, credit union, industrial bank or industrial loan and investment company, organized and regulated under the laws of this state or of the United States;

(b) Foreign banking corporation licensed to do banking business in this state; ~~for~~

(c) Telegraph company providing a public message service ~~H~~ ;  
*or*

*(d) Employer-integrated earned wage access provider who is licensed pursuant to the chapter consisting of sections 2 to 33, inclusive, of this act.*

2. Subsection 1 does not reduce or alter any liability otherwise attaching to the sale, issuance, receipt for transmission or transmission of checks or money in any form.

**Sec. 36.** 1. On or before December 31, 2025, the Commissioner of Financial Institutions shall prepare and submit a report to the Director of the Legislative Counsel Bureau for transmittal to the Legislature which includes an analysis of and any recommendations concerning earned wage access services and potential changes to regulations governing earned wage access services that may be warranted.

2. As used in this section, “earned wage access services” has the meaning ascribed to it in section 7 of this act.

**Sec. 37.** 1. This section becomes effective upon passage and approval.

2. Sections 1 to 36, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On July 1, 2024, for all other purposes.

3. Sections 14 and 15 of this act expire by limitation on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has the authority to



- 1 withhold or suspend, or to restrict the use of professional,  
2 occupational and recreational licenses of persons who:  
3     (a) Have failed to comply with a subpoena or warrant relating to  
4 a proceeding to determine the paternity of a child or to establish or  
5 enforce an obligation for the support of a child; or  
6     (b) Are in arrears in the payment of the support of one or more  
7 children,  
8 ➤ are repealed by the Congress of the United States.

