

ASSEMBLY BILL NO. 352—ASSEMBLYMEMBER ANDERSON

MARCH 3, 2025

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to businesses.
(BDR 51-890)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 businesses; requiring a person who wishes to conduct a cottage cosmetics operation to apply to the State Department of Agriculture for a license; setting forth requirements and fees relating to a cottage cosmetics operation; exempting a cottage cosmetics operation from certain licensing requirements; revising and reorganizing certain provisions governing cottage food establishments; requiring a person who wishes to conduct a cottage food operation to apply to the Department; revising provisions governing farm-to-fork events; applying certain provisions governing food delivery service platforms to the delivery of food items from a cottage food operation; declaring void certain regulations; eliminating certain provisions governing craft food operations; providing a penalty; providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, the Commissioner of Food and Drugs is required to adopt regulations for the licensing of every person who manufactures, compounds, processes or packages drugs, devices or cosmetics in this State. (NRS 585.245) **Section 20** of this bill exempts, with certain exceptions, cottage cosmetics operations from the provisions of law governing the licensing, regulation, fees and inspection of such persons by the Commissioner.

Section 4 of this bill defines the term “cottage cosmetics operation” to mean a natural person: (1) who manufactures or prepares cosmetics in his or her private home or in a kitchen that is not otherwise required by law to be inspected for the preparation of a cosmetic, for sale to a natural person; and (2) whose gross sales of such cosmetics are not more than \$100,000 per year. **Section 3** of this bill defines the term “cosmetic.” **Sections 5 and 6** of this bill define certain other terms relating



to cottage cosmetics operations. **Section 2** of this bill applies these definitions to the provisions of **sections 2-11** of this bill.

Section 7 requires a person who wishes to conduct a cottage cosmetics operation to apply to the State Department of Agriculture for a license to conduct a cottage cosmetics operation and prescribes certain requirements for such an application. **Section 7** authorizes the Department to: (1) charge certain fees for the issuance and renewal of a license to conduct a cottage cosmetics operation; and (2) inspect a cottage cosmetics operation for certain purposes and charge a fee for the inspection if the cottage cosmetics operation produced an adulterated or misbranded cosmetic or was the source of an outbreak of illness caused by a contaminated cosmetic. **Section 7** prohibits a local zoning board, planning commission or governing body of an unincorporated town, incorporated city or county to adopt an ordinance or other regulation that prohibits a person from operating a cottage cosmetics operation. Additionally, **section 7** requires the Department to maintain a registry of each person who holds an active license to conduct a cottage cosmetics establishment. **Section 10** requires the Director of the Department to adopt certain regulations governing cottage cosmetics operations.

Section 11 of this bill authorizes the Director to impose a civil penalty of not more than \$500 for a violation of the provisions of **sections 2-11**. **Section 21** of this bill provides that the civil penalty is an exception to the criminal penalties imposed for other violations of the provisions relating to food, drugs and cosmetics.

Existing law sets forth certain requirements for a food establishment that prepares food intended for human consumption. (NRS 446.0145-446.945) Existing law exempts a cottage food operation from such requirements and requires a person who wishes to conduct a cottage food operation to register with a certain health authority. (NRS 446.866) **Section 16** of this bill instead requires a person who wishes to conduct a cottage food operation to apply to the Department for a license to conduct a cottage food operation. **Sections 14-16** of this bill revise and reorganize the existing provisions governing cottage food operations into new sections of the Nevada Revised Statutes. **Section 28** of this bill repeals the existing provisions governing cottage food operations. **Section 14** revises the definition of "cottage food operation" to apply to a natural person who manufactures or prepares food items in his or her private home or in a kitchen that is not otherwise required by law to be inspected for the purposes of preparing a food item, for sale and whose gross sales of such food items are not more than \$100,000 per calendar year. **Section 15** revises the definition of "food item" to include, among other food items, certain acidified foods. **Section 13** of this bill defines the term "acidified foods."

Additionally, **section 16** authorizes a cottage food operation to: (1) sell food items via a transaction by telephone or via the Internet; and (2) fulfill a transaction in person, by mail or through a food delivery service platform. **Section 26** of this bill makes a cottage food operation a "food dispensing establishment," thereby applying the provisions governing the food delivery service platforms to the delivery of food items from a cottage food operation. **Section 16** authorizes the Department to charge certain fees for the issuance and renewal of a license to conduct a cottage food operation. **Section 16** further requires the Department to maintain a registry of each person who holds an active license to conduct a cottage food operation. **Section 19** of this bill requires the Director of the Department to adopt certain regulations governing cottage food operations.

Section 23 of this bill revises the definition of "food establishment" to reflect the reorganization of provisions governing cottage food operations.

Existing federal law requires each state to adopt procedures to ensure that applicants for certain licenses and certificates comply with child support obligations. (42 U.S.C. § 666) **Sections 8, 9, 17 and 18** of this bill enact such procedures as applicable to an applicant for a license to conduct a cottage cosmetics



operation and an applicant for a license to conduct a cottage food operation in order to comply with federal law.

Existing law provides that the penalty for a violation of any provision of existing law relating to agricultural products and seeds is a civil penalty of not more than \$500 for each violation. (NRS 587.900) This penalty applies to **sections 12-19** of this bill.

Existing law exempts a farm from certain provisions governing food establishments for the purposes of holding a farm-to-fork event under certain conditions. (NRS 446.868) **Section 24** of this bill authorizes a farm holding such an event to serve certain food items provided that: (1) any livestock or game animal that is served at the event is butchered and processed on the farm in accordance with certain provisions of law or was inspected and approved under a certain inspection program; and (2) certain other food items served at the farm-to-fork event are sourced from certain facilities or was inspected and approved under a certain inspection program. **Section 24** also exempts: (1) a farm from certain provisions governing food establishments provided that the farm holds four events or less in a month; and (2) a farm that holds more than four events during a harvest or holiday season from such provisions. **Section 25** of this bill prohibits the Department from charging a fee for the registration of a farm to hold farm-to-fork events when the annual revenue of the farm for the preceding calendar year was less than \$100,000.

Existing law sets forth certain requirements for a craft food operation in which a person manufactures or prepares acidified foods in certain kitchens and whose gross sales of such foods are not more than \$35,000 per calendar year and authorizes the Department to adopt certain regulations governing such operations. (NRS 587.691-587.699) **Section 28** repeals such provisions. **Section 27** of this bill declares void the regulations adopted by the Department governing craft food operations and requires the Legislative Counsel to remove the regulations from the Nevada Administrative Code.

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

Section 1. Chapter 585 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 19, inclusive of this act.

Sec. 2. *As used in sections 2 to 11, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 to 6, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 3. *“Cosmetic” has the meaning ascribed to it in NRS 585.060.*

Sec. 4. *“Cottage cosmetics operation”:*

1. Means a natural person:

(a) Who manufactures or prepares cosmetics in his or her private home or in a kitchen that is not otherwise required by law to be inspected for the purposes of preparing a cosmetic, for sale to a natural person; and



(b) Whose gross sales of such cosmetics are not more than \$100,000 per year.

2. The term does not include an operation that engages in the manufacturing or processing of any of the products described in 21 U.S.C. § 364h(b).

Sec. 5. “Department” means the State Department of Agriculture.

Sec. 6. “Director” means the Director of the Department.

Sec. 7. 1. A person shall not conduct a cottage cosmetics operation unless the person holds a license issued pursuant to subsection 2.

2. A natural person who wishes to obtain a license to conduct a cottage cosmetics operation must submit to the Department an application on a form prescribed by the Director. The application must include, without limitation:

(a) The name, address and contact information of the natural person conducting the cottage cosmetics operation; and

(b) If the cottage cosmetics operation sells cosmetics under a name other than the name of the natural person who conducts the cottage cosmetics operation, the name under which the cottage cosmetics operation sells cosmetics.

3. The Department may charge a fee for the issuance or renewal of a license to conduct a cottage cosmetics operation pursuant to subsection 2 in an amount not to exceed the actual cost of the Department to issue or renew a license and maintain the registry required by subsection 6.

4. The Department may inspect a cottage cosmetics operation only to investigate a cosmetic that may be deemed to be adulterated or misbranded pursuant to NRS 585.500 and 585.510, or an outbreak or suspected outbreak of illness known or suspected to be caused by an adulterated cosmetic. The cottage cosmetics operation shall cooperate with the Department in any such inspection. If, as a result of such an inspection, the Department determines that the cottage cosmetics operation has produced an adulterated or misbranded cosmetic or was the source of an outbreak caused by a contaminated cosmetic, the Department may charge and collect from the cottage cosmetics operation a fee in an amount that does not exceed the actual cost of the Department to conduct the investigation.

5. No local zoning board, planning commission or governing body of an unincorporated town, incorporated city or county may adopt any ordinance or other regulation that prohibits a natural person from preparing cosmetics in a cottage cosmetics operation.

6. The Department shall maintain a registry of each natural person who holds an active license to conduct a cottage cosmetics



operation. The registry must include, without limitation, the name under which the cottage cosmetics operation sells cosmetics.

Sec. 8. 1. In addition to any other requirements set forth in sections 2 to 11, inclusive, of this act, an applicant for a license or the renewal of a license to conduct a cottage cosmetics operation shall:

(a) Include the social security number of the applicant in the application submitted to the Department pursuant to section 7 of this act.

(b) Submit to the Department 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 Department shall include the statement required pursuant to 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 Department.

3. A license to conduct a cottage cosmetics operation may not be issued or renewed by the Department if the applicant:

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

(b) Indicates on the statement submitted pursuant to 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 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 Department 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. 9. 1. If the Department 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 licensed to conduct a cottage cosmetics operation, the Department shall deem the license of that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Department receives a letter issued to the licensee by the



1 *district attorney or other public agency pursuant to NRS 425.550*
2 *stating that the licensee has complied with the subpoena or*
3 *warrant or has satisfied the arrearage pursuant to NRS 425.560.*

4 2. *The Department shall reinstate a license that has been*
5 *suspended by a district court pursuant to NRS 425.540 if the*
6 *Department receives a letter issued by the district attorney or other*
7 *public agency pursuant to NRS 425.550 to the person whose*
8 *license was suspended stating that the person whose license was*
9 *suspended has complied with the subpoena or warrant or has*
10 *satisfied the arrearage pursuant to NRS 425.560.*

11 **Sec. 10.** *The Director shall adopt regulations to carry out the*
12 *provisions of sections 2 to 11, inclusive, of this act, including,*
13 *without limitation, regulations prescribing requirements for a*
14 *person to obtain a license to conduct a cottage cosmetics*
15 *operation.*

16 **Sec. 11.** *The Director may, after notice and an opportunity*
17 *for a hearing, impose a civil penalty of not more than \$500 for*
18 *each violation of sections 2 to 11, inclusive, of this act.*

19 **Sec. 12.** *As used in sections 12 to 19, inclusive, of this act,*
20 *unless the context otherwise requires, the words and terms defined*
21 *in sections 13, 14 and 15 of this act have the meanings ascribed to*
22 *them in those sections.*

23 **Sec. 13.** *“Acidified foods” means a food item containing*
24 *either fruits, vegetables or both fruits and vegetables which, when*
25 *prepared for sale, has a finished equilibrium of pH level of not*
26 *more than 4.6. The term does not include any product that*
27 *includes, without limitation, milk or milk products, eggs, meat,*
28 *poultry, fish, shellfish, edible crustacean ingredients or other*
29 *ingredients capable of supporting the rapid growth of infectious or*
30 *toxicogenic microorganisms.*

31 **Sec. 14.** *“Cottage food operation” means a natural person:*
32 1. *Who manufactures or prepares food items in his or her*
33 *private home or in a kitchen that is not otherwise required by law*
34 *to be inspected for the purposes of preparing a food item, for sale*
35 *to a natural person for consumption; and*

36 2. *Whose gross sales of such food items are not more than*
37 *\$100,000 per calendar year.*

38 **Sec. 15.** *“Food item” means:*

- 39 1. *Nuts and nut mixes;*
40 2. *Candies;*
41 3. *Jams, jellies and preserves;*
42 4. *Dry herbs, seasoning mixes and teas;*
43 5. *Dried fruits and vegetables;*
44 6. *Cereals, trail mixes and granola;*
45 7. *Popcorn and popcorn balls;*



8. *Baked goods that:*

- (a) *Are not potentially hazardous foods;*
 - (b) *Do not contain cream, uncooked egg, custard meringue or cream cheese frosting or garnishes; and*
 - (c) *Do not require time or temperature controls for food safety;*
- or

9. *Acidified foods.*

Sec. 16. 1. *A cottage food operation which manufactures or prepares a food item by any manner or means whatever for sale, or which offers or displays a food item for sale, is not a "food establishment" pursuant to paragraph (i) of subsection 2 of NRS 446.020 if each such food item is:*

(a) *Sold on the private property of the natural person who manufactures or prepares the food item or at a location where the natural person who manufactures or prepares the food item sells the food item directly to a consumer, including, without limitation, a farmers' market licensed pursuant to chapter 244 or 268 of NRS, flea market, swap meet, church bazaar, garage sale or craft fair, by means of an in-person transaction or a transaction by telephone or via the Internet. A sale made pursuant to this paragraph may be fulfilled in person, by mail or through a food delivery service platform, as defined in NRS 597.7627.*

(b) *Sold to a natural person for his or her consumption and not for resale.*

(c) *Affixed with a label which complies with the federal labeling requirements set forth in 21 U.S.C. § 343(w) and 9 C.F.R. Part 317 and 21 C.F.R. Part 101.*

(d) *Labeled with "MADE IN A COTTAGE FOOD OPERATION THAT IS NOT SUBJECT TO GOVERNMENT FOOD SAFETY INSPECTION" printed prominently on the label for the food item.*

(e) *Prepackaged in a manner that protects the food item from contamination during transport, display, sale and acquisition by consumers.*

(f) *Prepared and processed in the kitchen of the private home of the natural person who manufactures or prepares the food item or, if allowed by the Department, in a kitchen that is not otherwise required by law to be inspected for the purposes of preparing a food item.*

2. *No local zoning board, planning commission or governing body of an unincorporated town, incorporated city or county may adopt any ordinance or other regulation that prohibits a natural person from preparing food in a cottage food operation.*

3. *A person shall not conduct a cottage food operation unless the person holds a license issued pursuant to subsection 4.*



4. A natural person who wishes to obtain a license to conduct a cottage food operation must submit to the Department an application on a form prescribed by the Director. The application must include, without limitation:

(a) The name, address and contact information of the natural person conducting the cottage food operation; and

(b) If the cottage cosmetics operation sells food items under a name other than the name of the natural person who conducts the cottage food operation, the name under which the cottage food operation sells food items.

5. The Department may charge a fee for the issuance or renewal of a license to conduct a cottage food operation pursuant to subsection 4 in an amount not to exceed the actual cost of the Department to issue and renew a license and maintain the registry required by subsection 7.

6. The Department may inspect a cottage food operation only to investigate a food item that may be deemed to be adulterated or misbranded pursuant to NRS 585.300 to 585.360, inclusive, or an outbreak or suspected outbreak of illness known or suspected to be caused by a contaminated food item. The cottage food operation shall cooperate with the Department in any such inspection. If, as a result of such inspection, the Department determines that the cottage food operation has produced an adulterated food item or was the source of an outbreak of illness caused by a contaminated food item, the Department may charge and collect from the cottage food operation a fee in an amount that does not exceed the actual cost of the Department to conduct the investigation.

7. The Department shall maintain a registry of each natural person who holds an active license to conduct a cottage food operation. The registry must include, without limitation, the name under which the cottage food operation sells food items.

Sec. 17. 1. In addition to any other requirements set forth in sections 12 to 19, inclusive, of this act, an applicant for a license or the renewal of a license to conduct a cottage food operation shall:

(a) Include the social security number of the applicant in the application submitted to the Department pursuant to section 16 of this act.

(b) Submit to the Department 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 Department shall include the statement required pursuant to 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 Department.

3. A license to conduct a cottage food operation may not be issued or renewed by the Department if the applicant:

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

(b) Indicates on the statement submitted pursuant to 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 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 Department 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. 18. 1. If the Department 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 licensed to conduct a cottage food operation, the Department shall deem the license of that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Department receives a letter issued to the licensee by the district attorney or other public agency pursuant to NRS 425.550 stating that the licensee has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The Department shall reinstate a license that has been suspended by a district court pursuant to NRS 425.540 if the Department 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. 19. The Director shall adopt regulations necessary to carry out the provisions of sections 12 to 19, inclusive, of this act, including, without limitation, regulations prescribing requirements for a person to obtain a license to conduct a cottage food operation.



Sec. 20. NRS 585.245 is hereby amended to read as follows:

585.245 1. The Commissioner shall adopt regulations for the licensing of every person who manufactures, compounds, processes or packages drugs, devices or cosmetics in a factory, warehouse, laboratory or other location in this State. The regulations must set forth the requirements for issuance and renewal of a license. Only a person who complies with the requirements of this chapter is entitled to a license. A license is not transferable from person to person or from place to place. The regulations must prescribe the length of term for which a license is issued and must set forth grounds and procedures for the revocation, suspension or nonrenewal of a license.

2. A valid license is required for the manufacturing, compounding, processing or packaging of drugs, devices or cosmetics in any factory, warehouse, laboratory or other location in this State. Licensed pharmacies compounding or packaging prescriptions are exempt from this provision.

3. The Commissioner shall establish and collect fees for the purpose of paying the costs of inspecting, testing and other functions required under the provisions of this chapter with respect to any drug, device or cosmetic. Failure to pay any fee imposed pursuant to this subsection is a ground for revocation, suspension or nonrenewal of a license. All such fees collected by the Commissioner must be deposited with the State Treasurer for credit to the State General Fund.

4. As a condition for entertaining the application of any applicant for any license authorized under this chapter, and as a further condition for the issuance of any such license, the Commissioner or the Commissioner's authorized agent is entitled to free access at all reasonable hours to any factory, warehouse or other location in which drugs, devices or cosmetics are manufactured, compounded, processed or packaged or held for introduction into commerce, and may enter any vehicle being used to transport or hold such drugs, devices or cosmetics in commerce, for the purposes of:

(a) Inspecting the factory, warehouse, other location or vehicle to determine whether any of the provisions of this chapter is being violated; and

(b) Securing samples or specimens of any drug, device or cosmetic after paying or offering to pay therefor.

5. The Commissioner shall make, or cause to be made, examinations of samples and specimens secured under the provisions of this section to determine whether any of the provisions of this chapter is being violated.



1 **6. A cottage cosmetics operation subject to the requirements**
2 **of sections 2 to 11, inclusive, of this act, is exempt from the**
3 **provisions of this section.**

4 **Sec. 21.** NRS 585.550 is hereby amended to read as follows:

5 585.550 1. A person who manufactures, compounds,
6 processes or packages any drug in a factory, warehouse, laboratory
7 or other location in this state without a license required by NRS
8 585.245 is guilty of a category D felony and shall be punished as
9 provided in NRS 193.130.

10 2. ~~[A]~~ **Except as otherwise provided in section 11 of this act, a**
11 **person who violates any other provision of this chapter is guilty of a**
12 **gross misdemeanor.**

13 **Sec. 22.** Chapter 446 of NRS is hereby amended by adding
14 thereto a new section to read as follows:

15 **As used in this section and NRS 446.868 and 446.869, unless**
16 **the context otherwise requires, "Department" means the State**
17 **Department of Agriculture.**

18 **Sec. 23.** NRS 446.020 is hereby amended to read as follows:

19 446.020 1. Except as otherwise limited by subsection 2,
20 "food establishment" means any place, structure, premises, vehicle
21 or vessel, or any part thereof, in which any food intended for
22 ultimate human consumption is manufactured or prepared by any
23 manner or means whatever, or in which any food is sold, offered or
24 displayed for sale or served.

25 2. The term does not include:

26 (a) Private homes, unless the food prepared or manufactured in
27 the home is sold, or offered or displayed for sale or for
28 compensation or contractual consideration of any kind;

29 (b) Fraternal or social clubhouses at which attendance is limited
30 to members of the club;

31 (c) Vehicles operated by common carriers engaged in interstate
32 commerce;

33 (d) Any establishment in which religious, charitable and other
34 nonprofit organizations sell food occasionally to raise money or in
35 which charitable organizations receive salvaged food in bulk
36 quantities for free distribution, unless the establishment is open on a
37 regular basis to sell food to members of the general public;

38 (e) Any establishment where animals, including, without
39 limitation, mammals, fish and poultry, are slaughtered which is
40 regulated pursuant to chapter 583 of NRS;

41 (f) Dairy farms and plants which process milk and products of
42 milk or frozen desserts which are regulated under chapter 584 of
43 NRS;



(g) The premises of a wholesale dealer of alcoholic beverages licensed under chapter 369 of NRS who handles only alcoholic beverages which are in sealed containers;

(h) A facility that produces eggs which is regulated pursuant to chapter 583 of NRS;

(i) A cottage food operation that meets the requirements of ~~NRS 446.866~~ *section 16 of this act* with respect to food items as defined in ~~that~~ *section 15 of this act; or*

(j) ~~A craft food operation that meets the requirements of NRS 587.6945 with respect to food items as defined in that section; or~~
~~(k)~~ A farm for purposes of holding a farm-to-fork event.

3. As used in this section, “poultry” has the meaning ascribed to it in NRS 583.405.

Sec. 24. NRS 446.868 is hereby amended to read as follows:

446.868 1. Except as otherwise provided in subsection 3, a farm is not a “food establishment” for purposes of holding a farm-to-fork event provided that:

(a) Any poultry and meat from a rabbit that is served at the farm-to-fork event is raised and prepared on the farm and is butchered and processed on the farm pursuant to the requirements of chapter 583 of NRS; ~~and~~

(b) *Any livestock or game animal that is served at the farm-to-fork event is butchered and processed on the farm pursuant to the requirements of chapter 583 of NRS or was inspected and approved under an inspection program administered by the United States Department of Agriculture; and*

(c) Any other food item that is served at the farm-to-fork event, including, without limitation, salads, side dishes and desserts, are prepared on the farm from ingredients that are substantially produced on the farm ~~or~~ *or sourced from a facility that satisfies the requirements of chapter 583 of NRS or was inspected and approved under an inspection program administered by the United States Department of Agriculture.*

2. A farm which holds a farm-to-fork event shall, before a guest consumes any food, provide each guest with a notice which states that no inspection was conducted by a state or local health department of the farm or the food to be consumed, except as otherwise provided in subsection 1.

3. ~~A~~ *Except as otherwise provided in subsection 4, a* farm which holds more than ~~two~~ *four* events in any month that would otherwise qualify as farm-to-fork events becomes a food establishment for the remainder of that calendar year subject to all of the requirements of this chapter and any regulations adopted pursuant thereto concerning food establishments.



4. *The Director of the Department may provide an exemption from the requirements of subsection 3 to a farm which holds more than four events during a harvest or holiday season.*

5. *As used in this section:*

(a) *"Game animal" means an animal, the products of which are food, that is not classified as livestock, sheep, swine, goat, horse, mule or other equine, or as poultry or fish. The term includes mammals, including, without limitation, reindeer, elk, deer, antelope, water buffalo, bison, rabbit, squirrel, opossum, raccoon, nutria or muskrat, and nonaquatic reptiles such as land snakes.*

(b) *"Livestock" has the meaning ascribed to it in NRS 583.325.*

Sec. 25. NRS 446.869 is hereby amended to read as follows:

446.869 1. A farm that wishes to hold farm-to-fork events must register with the ~~{health-authority}~~ *Department* by submitting such information as the ~~{health-authority}~~ *Department* deems appropriate, including, without limitation:

(a) The name, address and contact information of the owner of the farm;

(b) The name under which the farm operates; ~~{and}~~

(c) The address of the farm ~~{-}~~; and

(d) *The annual revenue of the farm for the immediately preceding calendar year.*

2. ~~{The health-authority}~~ *Except as otherwise provided in this subsection, the Department* may charge a fee for the registration of a farm pursuant to this section in an amount not to exceed the actual cost of the ~~{health-authority}~~ *Department* to establish and maintain ~~{a} the registry {of farms holding farm-to-fork events.}~~ *required pursuant to subsection 5. The Department shall not charge a fee for the registration of a farm when the annual revenue of the farm for the immediately preceding calendar year was less than \$100,000.*

3. The ~~{health-authority}~~ *Department* shall not inspect a farm that holds a farm-to-fork event, except as otherwise provided in subsection 3 of NRS 446.868 and except that the ~~{health-authority}~~ *Department* may inspect a farm following a farm-to-fork event to investigate a food item that may be deemed to be adulterated pursuant to NRS 585.300 to 585.360, inclusive, or an outbreak or suspected outbreak of illness known or suspected to be caused by a contaminated food item served at the farm-to-fork event. A farm shall cooperate with the ~~{health-authority}~~ *Department* in any such inspection.

4. If, as a result of an inspection conducted pursuant to subsection 3, the ~~{health-authority}~~ *Department* determines that the farm has produced an adulterated food item or was the source of an



1 outbreak of illness caused by a contaminated food item, the ~~health~~
2 ~~authority~~ *Department* may charge and collect from the farm a fee
3 in an amount not to exceed the actual cost of the health authority to
4 conduct the investigation.

5 *5. The Department shall maintain a registry of farms holding*
6 *farm-to-fork events that are registered with the Department*
7 *pursuant to subsection 1. The registry must include, without*
8 *limitation, the name under which the farm operates.*

9 **Sec. 26.** NRS 597.7629 is hereby amended to read as follows:

10 597.7629 1. “Food dispensing establishment” means a food
11 establishment *or a cottage food operation* that prepares and serves
12 food intended for immediate consumption. The term includes,
13 without limitation, a restaurant. The term does not include a
14 convenience store or a grocery store.

15 2. As used in this section:

16 (a) “Convenience store” has the meaning ascribed to it in
17 NRS 597.225.

18 (b) *“Cottage food operation” has the meaning ascribed to it in*
19 *section 14 of this act.*

20 (c) “Food establishment” has the meaning ascribed to it in
21 NRS 446.020.

22 ~~(e)~~ (d) “Grocery store” has the meaning ascribed to it in
23 NRS 597.225.

24 **Sec. 27.** The regulations adopted by the State Department of
25 Agriculture which are codified as NAC 587.840 to 587.848,
26 inclusive, are hereby declared void. In preparing supplements to the
27 Nevada Administrative Code on or after July 1, 2026, the
28 Legislative Counsel shall remove those regulations.

29 **Sec. 28.** NRS 446.866, 587.691, 587.692, 587.693, 587.694,
30 587.6945, 587.695, 587.696, 587.697, 587.698 and 587.699 are
31 hereby repealed.

32 **Sec. 29.** 1. This section becomes effective upon passage and
33 approval.

34 2. Sections 1 to 28, inclusive, of this act become effective:

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

38 (b) On July 1, 2026, for all other purposes.

39 3. Sections 7, 8, 15 and 16 of this act expire by limitation on
40 the date on which the provisions of 42 U.S.C. § 666 requiring each
41 state to establish procedures under which the state has authority to
42 withhold or suspend, or to restrict the use of professional,
43 occupational and recreational licenses of persons who:



- 1 (a) Have failed to comply with a subpoena or warrant relating to
2 a proceeding to determine the paternity of a child or to establish or
3 enforce an obligation for the support of a child; or
4 (b) Are in arrears in the payment for the support of one or more
5 children,
6 ➤ are repealed by the Congress of the United States.

LEADLINES OF REPEALED SECTIONS

446.866 Exemption from certain requirements; certain local governing bodies prevented from prohibiting cottage food operations; registration; fee; inspection.

587.691 Definitions.

587.692 “Acidified foods” defined.

587.693 “Craft food operation” defined.

587.694 “Health authority” defined.

587.6945 Conditions under which craft food operation not regulated as food establishment; local governing bodies prevented from prohibiting craft food operations.

587.695 Requirements for production of acidified food by craft food operation.

587.696 Registration to produce acidified foods: Requirements and qualifications; period of validity; renewal; provision of updates and information by Department to registrants; inspections; fees.

587.697 Payment of child support: Statement by applicant for registration; grounds for denial of registration; duty of Department.

587.698 Suspension of registration for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of registration.

587.699 Regulations.



