EXEMPT

(Reprinted with amendments adopted on April 16, 2025)

FIRST REPRINT **S.B. 173**

SENATE BILL NO. 173–SENATOR NEAL

PREFILED FEBRUARY 3, 2025

Referred to Committee on Commerce and Labor

SUMMARY—Establishes provisions relating to the environment. (BDR 52-585)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Contains Appropriation not included in Executive Budget.

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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 the environment; establishing requirements governing the provision of disposable foodware accessories and standard condiments when using a food delivery service platform; prohibiting, with certain exceptions, the sale and distribution of certain products containing intentionally added perfluoroalkyl and polyfluoroalkyl substances; requiring, with certain exceptions, manufacturers of cookware containing intentionally added perfluoroalkyl and polyfluoroalkyl substances to provide certain information to a consumer; setting forth requirements for a redevelopment agency relating to heat mitigation; requiring the Division of Emergency Management within the Office of the Military to apply for grants of money to reduce heat island effects under certain circumstances; requiring certain emergency management plans to include plans for heat mitigation under certain circumstances; prohibiting the use of plastic cutting boards in food establishments; requiring the State Board of Cosmetology to collect and test random samples of certain packaged products relating to hair; making an appropriation; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prohibits a food delivery service platform provider from facilitating an online food order involving a food dispensing establishment unless the food delivery service platform provider has entered into a written agreement with the food dispensing establishment. (NRS 597.7635) **Section 2** of this bill requires a food delivery service platform provider to provide a user with the option to request to receive disposable foodware accessories or standard condiments from the food dispensing establishment with his or her order. **Section 2** also prohibits a food dispensing establishment that has a written agreement with a food delivery service platform provider from: (1) providing disposable foodware accessories or standard condiments with an order unless requested by the user; and (2) packaging or bundling disposable foodware accessories or standard condiments for single use in a manner that prevents the user from receiving only the disposable foodware accessory or standard condiments that the user requested. **Section 27** of this bill makes a conforming change to indicate the placement of **section 2** and applies certain existing definitions relating to food delivery service platform providers to **section 2**. **Section 28** of this bill provides that a violation of **section 2** shall be deemed a deceptive trade practice and is subject to certain existing civil and criminal penalties.

Existing law prohibits, with certain exceptions, the discharge, use or release of any Class B firefighting foam that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances for the purpose of testing the Class B firefighting foam or firefighting training. (NRS 459.682) Beginning on January 1, 2026, **section 24** of this bill prohibits, with certain exceptions, a manufacturer from selling, offering for sale, distributing for sale or distributing for use any carpet or rug, fabric treatment, food packaging, juvenile product, cosmetic, indoor textile furnishing or indoor upholstered furniture that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances. **Section 24** also authorizes a manufacturer of such products to include a sticker on the product label that states "NO PFAS" to inform the consumer that the product does not contain intentionally added perfluoroalkyl and polyfluoroalkyl substances.

Section 25 of this bill requires, with certain exceptions, a manufacturer of cookware sold in this State that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances to list those substances on the product label of the cookware and on any product listing for online sales: (1) that the product contains intentionally added perfluoroalkyl and polyfluoroalkyl substances; and (2) an Internet address and QR code for a website that contains certain information about the intentionally added perfluoroalkyl and polyfluoroalkyl substances. **Section 25** also authorizes a manufacturer of cookware that does not contain intentionally added perfluoroalkyl and polyfluoroalkyl substances to include a sticker on the product label that states "NO PFAS" to inform the consumer that the product does not contain intentionally added perfluoroalkyl and polyfluoroalkyl substances. **Sections 6-22** of this bill define certain terms related to such substances.

Section 26 of this bill provides that a person who willfully and knowingly violates the provisions of **section 24 or 25** is subject to a civil penalty of not more than $1,000 for each violation.

Section 23 of this bill provides an exception to the requirements and prohibitions set forth in **sections 5-26** of this bill to the extent that such provisions are preempted by or conflict with federal law.

Existing law requires a redevelopment plan that contains a provision requiring that taxes be levied upon taxable property in the respective redevelopment area to allocate certain excess amounts of the levied taxes to pay the costs of redevelopment and certain debts relating to redevelopment. (NRS 279.676) Existing law further requires that a certain percentage of such allocated revenue be set aside for certain purposes relating to: (1) affordable housing; and (2) public educational facilities, activities and programs. (NRS 279.685, 279.6855) **Section 29**

of this bill provides that the existence of heat islands in a redevelopment area may be considered blight. **Section 29** requires a redevelopment agency to: (1) set aside 1 percent of such allocated revenue received on or after October 1, 2025, to increase, improve or enhance landscaping in existing neighborhoods to provide shade and reduce heat island effects in such neighborhoods; and (2) perform certain actions relating to heat mitigation. **Section 29** also requires the redevelopment agency to prepare and submit a report to the Director of the Legislative Counsel Bureau for transmission to the Legislative Commission or the Legislature, as appropriate, regarding the amount of such money expended for those purposes. **Section 30** of this bill provides that the requirements of **section 29** are an exception to the requirement that all such excess allocated revenue be pledged for the payment of the principal and interest on loans, advances and indebtedness relating to redevelopment. **Section 31** of this bill makes a conforming change to indicate the placement of **section 29** in the Nevada Revised Statutes.

Section 37 of this bill requires a redevelopment agency to: (1) partner with certain organizations to identify drought tolerant trees to plant pursuant to the requirements of **section 29**; and (2) contract with an arborist or the Cooperative Extension Service of the University of Nevada, Reno, to identify and purchase tree seedlings for planting pursuant to the requirements of **section 29**.

Existing law requires the Division of Emergency Management within the Office of the Military to adopt regulations setting forth the manner in which federal funds received by the Division to finance projects related to emergency management and homeland security are allocated. (NRS 414.040) **Section 32** of this bill requires the Division to, where appropriate and applicable, apply for grants of money from the Federal Government or other sources to reduce heat island effects where such heat island effects threaten the health and safety of the residents of this State and may result in or worsen an emergency or disaster.

Existing law authorizes the Governor to prepare a state emergency management plan and requires the Chief of the Division to foster the adoption of plans for emergency operations. (NRS 414.040, 414.060) Existing law requires such plans to be developed and executed in collaboration with persons and organizations that advocate for the needs of victims of emergencies and disasters. (NRS 414.093) **Section 33** of this bill requires such plans to include plans for mitigating any severe heat experienced by the victims of emergencies or disasters.

Existing law establishes certain requirements for food establishments. (Chapter 446 of NRS) **Section 33.3** of this bill: (1) prohibits a food establishment from using a plastic cutting board to prepare food in the food establishment; and (2) provides for certain escalating administrative fines for a violation of this prohibition. **Section 33.7** of this bill provides that these administrative fines are an exception to certain criminal penalties relating to food establishments.

Existing law creates the State Board of Cosmetology and requires the Board to oversee applicants for a license and persons licensed in cosmetology, schools of cosmetology, cosmetological establishments and facilities in which threading is conducted. (NRS 644A.200, 644A.250) **Section 34** of this bill requires, in any county whose population is 700,000 or more (currently Clark County), the Board to collect and test random samples sold or offered for sale at retail stores in the county of: (1) hair products to determine whether the hair products contain formaldehyde; and (2) braid hair, weaves and extensions to determine if the items contain known carcinogens. **Section 34** authorizes the Board to contract or enter into a memorandum of understanding with a testing laboratory to conduct such testing.

Section 35 of this bill makes an appropriation to the Nevada Center for Applied Research of the University of Nevada, Reno, to develop a scientific test to determine whether packaged synthetic hair braids contain formaldehyde and to purchase any necessary equipment and equipment warranties.

Section 36 of this bill authorizes the Board to enter into a memorandum of understanding with the Nevada System of Higher Education, on behalf of the Nevada Center for Applied Research, relating to the testing required by **section 34**.

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

Section 1. Chapter 597 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 26, inclusive, of this act.

Sec. 2. ***1. A food delivery service platform provider shall provide the user with the option to request to receive disposable foodware accessories or standard condiments from a food dispensing establishment providing an online food order.***

2. A food dispensing establishment that has a written agreement with a food delivery service platform provider in accordance with NRS 597.7635 shall not:

(a) Provide any disposable foodware accessories or standard condiments packaged for single use to a user of the food delivery service platform unless the disposable foodware accessories or standard condiment was requested by the user; or

(b) Package or bundle disposable foodware accessories or standard condiments for single use in a manner that prevents a user from receiving only the disposable foodware accessories or standard condiments that the user requested.

3. As used in this section:

(a) "Disposable foodware accessory" means a single-use or disposable fork, knife, spoon, spork, chopsticks, condiment cup or packet, straw, stirrer, splash stick or cocktail stick. The term does not include containers, bowls, plates, trays, cartons, cups or lids.

(b) "Standard condiments" means a relish, spice, sauce, confection or seasoning that requires no additional preparation and is generally used on a food item after preparation. The term includes, without limitation, ketchup, mustard, mayonnaise, soy sauce, hot sauce, salsa, salt, pepper, sugar and sugar substitutes.

Sec. 3. (Deleted by amendment.)

Sec. 4. (Deleted by amendment.)

Sec. 5. ***As used in sections 5 to 26, inclusive, of this act, the words and terms defined in sections 6 to 22, inclusive, of this act have the meanings ascribed to them in those sections.***

Sec. 6. ***"Adult mattress" means any mattress other than a toddler mattress, crib mattress or other sleep product for infants.***

Sec. 7. ***"Carpet or rug" means a fabric product marketed or intended for use as a floor covering in a household or business.***

Sec. 8. *"Component" means an identifiable component of a product, regardless of whether the manufacturer of the product is the manufacturer of the component.*

Sec. 9. *"Cookware" means a durable houseware product that is used in a residence or kitchen to prepare, dispense or store food or beverages, including, without limitation, any pot, pan, skillet, grill, baking sheet, baking mold, tray, bowl or cooking utensil.*

Sec. 10. *1. "Cosmetic" means a product that is intended to be rubbed onto or introduced into, poured, sprinkled, sprayed on or otherwise applied to the human body for the purposes of cleaning, cleansing, beautifying, promoting or altering the appearance of a person, including, without limitation, any skin moisturizer, perfume, lipstick, nail polish, eye or facial makeup, shampoo, conditioner, permanent wave, hair dye or deodorant.*

2. The term does not include:

(a) A product that requires a prescription for distribution or dispensation; or

(b) Hydrofluoroolefins used as propellants in cosmetics.

Sec. 11. *"Fabric treatment" means a product applied to fabric to give the fabric one or more characteristics, including, without limitation, stain resistance or water resistance. The term does not include hydrofluoroolefins used as propellants in fabric treatments.*

Sec. 12. *"Food packaging" means a package or packaging component that is used in direct contact with food and is composed, in substantial part, of paper, paperboard or other materials originally derived from plant fibers.*

Sec. 13. *1. "Intentionally added perfluoroalkyl and polyfluoroalkyl substances" means perfluoroalkyl and polyfluoroalkyl substances that a manufacturer has intentionally added to a product and that have a functional or technical effect on the product. The term includes, without limitation, perfluoroalkyl and polyfluoroalkyl substances that are intentional breakdown products of an added chemical that also have a functional or technical effect on the product.*

2. The term does not include the use of recycled materials which may contain perfluoroalkyl and polyfluoroalkyl substances due to the use of perfluoroalkyl and polyfluoroalkyl substances in the original product.

Sec. 14. *1. "Juvenile product" means a product designed by a manufacturer for use by an infant or child less than 12 years of age, including, without limitation, a bassinet, child restraint system for use in motor vehicles, changing pad, toddler mattress, crib mattress or other sleep product for infants, high chair, infant*

carrier, infant seat, polyurethane foam mat, pad or pillow, nap cot, play mat, playpen or stroller.

2. The term does not include:

(a) Electronic products, including, without limitation, any personal computer and any associated equipment, audio and video equipment, calculator, wireless phone, gaming console, handheld device incorporating a video screen or any associated peripheral device such as a mouse, keyboard, power supply unit or power cord;

(b) An internal component of a juvenile product that is not designed or intended to come into direct contact with the skin or mouth of a child as a result of the reasonably foreseeable use of the product;

(c) An adult mattress; or

(d) An off-highway vehicle, as defined in NRS 490.060, designed for use by a child, a replacement part for such an off-highway vehicle and any protective clothing or equipment intended for use by a child while operating such an off-highway vehicle.

Sec. 15. *"Manufacturer" means a person that manufactures or assembles a product. The term includes, without limitation, the importer or first domestic distributor of the product if a product is imported into the United States and the manufacturer does not have a presence in the United States.*

Sec. 16. *"Package" means the material that is intended or used to contain, protect, handle, deliver or present a product.*

Sec. 17. *"Packaging component" means an individual part of a package, including, without limitation, the interior or exterior blocking, bracing, cushioning, weatherproofing, exterior strapping, coating, closure, ink or label.*

Sec. 18. *"Perfluoroalkyl and polyfluoroalkyl substances" has the meaning ascribed to it in NRS 459.678.*

Sec. 19. *1. "Product" means an item, and any component of such an item, that is manufactured, assembled or otherwise prepared for sale or distribution to a customer and that is sold or distributed for personal, residential, commercial or industrial use, including, without limitation, for use in making other products.*

2. The term does not include:

(a) Any drug, medical device, biologic or diagnostic regulated by the United States Food and Drug Administration or the United States Department of Agriculture;

(b) Any drug, medical device, biologic, parasiticide or diagnostic administered or used to treat animals regulated by the United States Food and Drug Administration pursuant to the Federal Food, Drug and Cosmetic Act, 21 U.S.C. §§ 351 et seq.,

the United States Department of Agriculture pursuant to the Virus-Serum-Toxin Act, 21 U.S.C. §§ 151 et seq. or the United States Environmental Protection Agency pursuant to the Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. §§ 136 et seq.;

(c) A veterinary pesticide product approved by the United States Environmental Protection Agency for use in animals;

(d) Medical food, as defined in section 5(b)(3) of the Orphan Drug Act, 21 U.S.C. § 360ee(b)(3);

(e) Infant formula, as defined in NRS 597.990;

(f) Any packaging used for a product described in paragraphs (a) to (e), inclusive; or

(g) A used product offered for sale or resale.

Sec. 20. *"Textile" means any product made in whole or in part from a natural or synthetic fiber, yarn or fabric, including, without limitation, leather, cotton, silk, jute, hemp, wool, nylon or polyester. The term does not include any textile used in a medical, professional or industrial setting.*

Sec. 21. *"Textile furnishing" means a type of textile intended for use in households and businesses, including, without limitation, any drapery, floor covering, furnishing, bedding, towel or tablecloth. The term does not include a textile furnishing intended for use in a medical, professional or industrial setting.*

Sec. 22. *"Upholstered furniture" means any article of furniture that is:*

1. Designed for sitting, resting or reclining; and

2. Wholly or partially stuffed with filling material.

Sec. 23. *The provisions of sections 5 to 26, inclusive, of this act do not apply to the extent that those provisions are preempted by or conflict with federal law, including, without limitation, any provision of federal law requiring the use of products that contain intentionally added perfluoroalkyl and polyfluoroalkyl substances or authorizing the use of intentionally added perfluoroalkyl and polyfluoroalkyl substances in a product or any product surface that comes into contact with food or beverages.*

Sec. 24. *1. A manufacturer shall not sell, offer for sale, distribute for sale or distribute for use in this State any of the following types of products if the product contains intentionally added perfluoroalkyl and polyfluoroalkyl substances:*

(a) Carpets or rugs;

(b) Fabric treatments;

(c) Food packaging;

(d) Juvenile products;

(e) Cosmetics;

(f) Indoor textile furnishings; or

(g) Indoor upholstered furniture.

2. A manufacturer of the products described in subsection 1 may include on the product label a sticker suitable to the size of the product label stating "NO PFAS" to inform the consumer of the product that the product does not contain intentionally added perfluoroalkyl and polyfluoroalkyl substances.

3. The provisions of this section do not apply to:

(a) A product which contains perfluoroalkyl and polyfluoroalkyl substances due to the use of recycled materials containing perfluoroalkyl and polyfluoroalkyl substances in the original product;

(b) A carpet or rug that was manufactured or imported before January 1, 2026; or

(c) Any other textile product, other than a carpet or rug, that was manufactured or imported before January 1, 2026.

Sec. 25. *1. A manufacturer of cookware sold in this State that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances in the handle of the product or in any product surface that comes into contact with any food or beverages shall:*

(a) Except as otherwise provided in subsection 3, list the presence of those substances on the product label. The list of such substances must be prefaced by the phrase "This product contains:";

(b) Except as otherwise provided in subsection 3, include on the product label a statement, in both English and Spanish, that reads: "For more information about chemicals in this product, visit" followed by:

(1) An Internet address for a website that provides information about why the perfluoroalkyl and polyfluoroalkyl substances are intentionally added; and

(2) A two dimensional bar code, commonly known as a QR code or other machine-readable code used for storing an Internet address for the website that provides information about why the perfluoroalkyl and polyfluoroalkyl substances are intentionally added;

(c) Include in any product listing for online sales in this State, the information required to be included on the product label pursuant to paragraphs (a) and (b); and

(d) Ensure that the information required pursuant to paragraphs (a), (b) and (c) is clearly visible and legible to the consumer on the label and on the product listing for online sales.

2. A manufacturer of cookware:

(a) Shall not claim on the packaging for cookware that the cookware is free of perfluoroalkyl and polyfluoroalkyl substances,

unless no individual perfluoroalkyl or polyfluoroalkyl compound has been intentionally added to the cookware.

(b) That does not contain intentionally added perfluoroalkyl and polyfluoroalkyl substances may include on the product label a sticker suitable to the size of the product stating "NO PFAS" to inform the consumer of the product that the product does not contain intentionally added perfluoroalkyl and polyfluoroalkyl substances.

3. Cookware that meets the following requirements is exempt from the requirements of paragraphs (a) and (b) of subsection 1:

(a) The surface area of the cookware cannot fit a product label of at least 2 square inches; and

(b) The cookware does not have:

(1) An exterior or wrapper on which a product label can appear or be affixed; or

(2) A tag or other attachment with information about the product attached to the cookware.

4. Except as otherwise provided in subsection 3, a manufacturer shall not sell, offer for sale, distribute for sale or distribute for use any cookware that contains one or more intentionally added perfluoroalkyl and polyfluoroalkyl substances in the handle of the product or in any product surface that comes into contact with food or beverages, unless the manufacturer and the cookware comply with the requirements of this section.

Sec. 26. ***A person who willfully and knowingly violates the provisions of section 24 or 25 of this act is subject to a civil penalty of not more than $1,000 for each violation.***

Sec. 27. NRS 597.7625 is hereby amended to read as follows:

597.7625 As used in NRS 597.7625 to 597.7642, inclusive, ***and section 2 of this act,*** unless the context otherwise requires, the words and terms defined in NRS 597.7626 to 597.7634, inclusive, have the meanings ascribed to them in those sections.

Sec. 28. NRS 597.7642 is hereby amended to read as follows:

597.7642 A person who knowingly violates NRS 597.7639, 597.764 or 597.7641 ***or section 2 of this act*** is deemed to have committed a deceptive trade practice for the purposes of NRS 598.0903 to 598.0999, inclusive.

Sec. 29. Chapter 279 of NRS is hereby amended by adding thereto a new section to read as follows:

1. For the purposes of this chapter, the existence of heat islands in a redevelopment area may be considered blight. Except as otherwise provided in this section, an agency that receives revenue pursuant to paragraph (b) of subsection 1 of NRS 279.676 from taxes on the taxable property in the redevelopment area affected by the ordinance adopted pursuant to subsection 5 of NRS

279.676 shall set aside 1 percent of the revenue received on or after October 1, 2025, to increase, improve or enhance landscaping in existing neighborhoods of the community in order to provide shade and reduce heat island effects in such neighborhoods. For the purposes of providing shade and reducing heat island effects, the agency shall:

(a) Establish requirements to plant trees to provide shade, which must include, without limitation, a review of the orientation of the layout of existing buildings in the neighborhood and planning to promote heat reduction and the creation of canopies;

(b) Create a system to track the seedling type, planting and life cycle for all trees planted as a result of this section;

(c) If feasible, build or install structures to promote shade and reduce heat island effects based on available scientific studies on the reduction of heat island effects; and

(d) Partner with the Southern Nevada Heat Resilience Lab at the Desert Research Institute to convene a working group, comprised of, without limitation, governmental entities and nonprofit organizations with experience relating to mitigating heat island effects to develop and implement a strategy to mitigate heat island effects in the redevelopment area.

2. The money set aside pursuant to subsection 1 must be dispersed by the agency in continuing grant increments to the partners of the agency convened pursuant to paragraph (d) of subsection 1 to carry out the provisions of subsection 1.

3. For each fiscal year, the agency shall prepare a written report concerning the amount of money expended for the purposes set forth in subsection 1 and shall, on or before November 30 of each year, submit a copy of the report to the Director of the Legislative Counsel Bureau for transmittal to the Legislative Commission, if the report is received during an odd-numbered year, or to the next session of the Legislature, if the report is received during an even-numbered year.

4. The obligation of an agency pursuant to subsection 1 to set aside 1 percent of the revenue allocated to and received by the agency pursuant to paragraph (b) of subsection 1 of NRS 279.676 is subordinate to any existing obligations of the agency. As used in this subsection, "existing obligations" means the principal and interest, when due, on any bonds, notes or other indebtedness whether funded, refunded, assumed or otherwise incurred by an agency before October 1, 2025, to finance or refinance in whole or in part, the redevelopment of a redevelopment area. For the purposes of this subsection, obligations incurred by an agency on or after October 1, 2025, shall be deemed existing obligations if

the net proceeds are used to refinance existing obligations of the agency.

Sec. 30. NRS 279.680 is hereby amended to read as follows:

279.680 Except as otherwise provided in subsection 6 of NRS 279.676 and NRS 279.685 and 279.6855 ~~[,]~~ ***and section 29 of this act,*** in any redevelopment plan, or in the proceedings for the advance of money, or the making of loans, or the incurring of any indebtedness, whether funded, refunded, assumed or otherwise, by the redevelopment agency to finance or refinance, in whole or in part, the redevelopment project, the portion of taxes mentioned in paragraph (b) of subsection 1 of NRS 279.676 may be irrevocably pledged for the payment of the principal of and interest on those loans, advances or indebtedness.

Sec. 31. NRS 374.358 is hereby amended to read as follows:

374.358 1. A person who maintains a business or intends to locate a business in a historically underutilized business zone, as defined in 15 U.S.C. § 632, redevelopment area created pursuant to NRS 279.382 to 279.687, inclusive, ***and section 29 of this act,*** area eligible for a community development block grant pursuant to 24 C.F.R. Part 570 or enterprise community established pursuant to 24 C.F.R. Part 597 in this State may, pursuant to the applicable provisions of NRS 274.310, 274.320 or 274.330, apply to the Office of Economic Development for an abatement from the taxes imposed by this chapter on the gross receipts from the sale, and the storage, use or other consumption, of eligible machinery or equipment for use by a business which has been approved for an abatement pursuant to NRS 274.310, 274.320 or 274.330.

2. If an application for an abatement is approved pursuant to NRS 274.310, 274.320 or 274.330:

(a) The taxpayer is eligible for an abatement from the tax imposed by this chapter for a duration of not less than 1 year but not more than 5 years.

(b) The abatement must be administered and carried out in the manner set forth in the applicable provisions of NRS 274.310, 274.320 or 274.330.

3. As used in this section, unless the context otherwise requires, "eligible machinery or equipment" means machinery or equipment for which a deduction is authorized pursuant to 26 U.S.C. § 179. The term does not include:

(a) Buildings or the structural components of buildings;

(b) Equipment used by a public utility;

(c) Equipment used for medical treatment;

(d) Machinery or equipment used in mining; or

(e) Machinery or equipment used in gaming.

Sec. 32. NRS 414.040 is hereby amended to read as follows:

414.040 1. A Division of Emergency Management is hereby created within the Office of the Military. The Chief of the Division is appointed by and holds office at the pleasure of the Adjutant General of the Office of the Military. The Division is the State Agency for Emergency Management and the State Agency for Civil Defense for the purposes of the Compact ratified by the Legislature pursuant to NRS 415.010. The Chief is the State's Director of Emergency Management and the State's Director of Civil Defense for the purposes of that Compact.

2. The Chief may employ technical, clerical, stenographic and other personnel as may be required, and may make such expenditures therefor and for other expenses of his or her office within the appropriation therefor, or from other money made available to him or her for purposes of emergency management, as may be necessary to carry out the purposes of this chapter.

3. The Chief, subject to the direction and control of the Adjutant General, shall carry out the program for emergency management in this State. The Chief shall coordinate the activities of all organizations for emergency management within the State, maintain liaison with and cooperate with agencies and organizations of other states and of the Federal Government for emergency management and carry out such additional duties as may be prescribed by the Adjutant General.

4. The Chief shall assist in the development of comprehensive, coordinated plans for emergency management by adopting an integrated process, using the partnership of governmental entities, business and industry, volunteer organizations and other interested persons, for the mitigation of, preparation for, response to and recovery from emergencies or disasters. In adopting this process, the Chief shall:

(a) Except as otherwise provided in NRS 232.3532, develop written plans for the mitigation of, preparation for, response to and recovery from emergencies and disasters. The plans developed by the Chief pursuant to this paragraph must include the information prescribed in NRS 414.041 to 414.044, inclusive.

(b) Conduct activities designed to:

(1) Eliminate or reduce the probability that an emergency will occur or to reduce the effects of unavoidable disasters;

(2) Prepare state and local governmental agencies, private organizations and other persons to be capable of responding appropriately if an emergency or disaster occurs by fostering the adoption of plans for emergency operations, conducting exercises to test those plans, training necessary personnel and acquiring necessary resources;

(3) Test periodically plans for emergency operations to ensure that the activities of state and local governmental agencies, private organizations and other persons are coordinated;

(4) Provide assistance to victims, prevent further injury or damage to persons or property and increase the effectiveness of recovery operations; and

(5) Restore the operation of vital community life-support systems and return persons and property affected by an emergency or disaster to a condition that is comparable to or better than what existed before the emergency or disaster occurred.

5. In addition to any other requirement concerning the program of emergency management in this State, the Chief shall:

(a) Maintain an inventory of any state or local services, equipment, supplies, personnel and other resources related to participation in the Nevada Intrastate Mutual Aid System established pursuant to NRS 414A.100;

(b) Coordinate the provision of resources and equipment within this State in response to requests for mutual aid pursuant to NRS 414.075 or chapter 414A of NRS;

(c) Coordinate with state agencies, local governments, Indian tribes or nations and special districts to use the personnel and equipment of those state agencies, local governments, Indian tribes or nations and special districts as agents of the State during a response to a request for mutual aid pursuant to NRS 414.075 or 414A.130; and

(d) Provide notice:

(1) On or before February 15 of each year to the governing body of each political subdivision of whether the political subdivision has complied with the requirements of NRS 239C.250;

(2) On or before February 15 of each year to the Chair of the Public Utilities Commission of Nevada of whether each utility that is not a governmental utility and each provider of new electric resources has complied with the requirements of NRS 239C.270;

(3) On or before February 15 of each year to the Governor of whether each governmental utility described in subsection 1 of NRS 239C.050 and each provider of new electric resources has complied with the requirements of NRS 239C.270;

(4) On or before February 15 of each year to the governing body of each governmental utility described in subsection 2 of NRS 239C.050 and each provider of new electric resources of whether each such governmental utility has complied with the requirements of NRS 239C.270;

(5) On or before November 15 of each year to the Superintendent of Public Instruction of whether each board of trustees of a school district, governing body of a charter school or

governing body of a private school has complied with the requirements of NRS 388.243 or 394.1687, as applicable; and

(6) On or before November 15 of each year to the Chair of the Nevada Gaming Control Board of whether each resort hotel has complied with the requirements of NRS 463.790.

6. The Division shall:

(a) Perform the duties required pursuant to chapter 415A of NRS;

(b) Perform the duties required pursuant to NRS 353.2753 at the request of a state agency or local government;

(c) Adopt regulations setting forth the manner in which federal funds received by the Division to finance projects related to emergency management and homeland security are allocated, except with respect to any funds committed by specific statute to the regulatory authority of another person or agency, including, without limitation, funds accepted by the State Emergency Response Commission pursuant to NRS 459.740; ~~[and]~~

(d) ***Where appropriate and applicable, apply for grants of money from the Federal Government or other sources that will assist in the reduction of heat island effects where such heat island effects would threaten the health and safety of residents of this State and may result in or worsen an emergency or disaster; and***

(e) Submit a written report to the Nevada Commission on Homeland Security within 60 days of making a grant of money to a state agency, political subdivision or tribal government to pay for a project or program relating to the prevention of, detection of, mitigation of, preparedness for, response to and recovery from acts of terrorism that includes, without limitation:

(1) The total amount of money that the state agency, political subdivision or tribal government has been approved to receive for the project or program;

(2) A description of the project or program; and

(3) An explanation of how the money may be used by the state agency, political subdivision or tribal government.

7. The Division shall develop a written guide for the preparation and maintenance of an emergency response plan to assist a person or governmental entity that is required to file a plan pursuant to NRS 239C.250, 239C.270, 388.243, 394.1687 or 463.790. The Division shall review the guide on an annual basis and revise the guide if necessary. On or before January 15 of each year, the Division shall post the guide on a publicly accessible Internet website maintained by the Division.

8. The Division shall provide a copy of the written guide developed pursuant to subsection 7 to a person or governmental

entity that is required to file a plan pursuant to NRS 239C.250, 239C.270, 388.243, 394.1687 or 463.790 upon the request of such a person or entity.

Sec. 33. NRS 414.093 is hereby amended to read as follows:

414.093 1. Any state emergency management plan prepared pursuant to NRS 414.060 and each plan for emergency operations specified in subparagraph (2) of paragraph (b) of subsection 4 of NRS 414.040 that is adopted by a state or local governmental agency must:

(a) Be developed and executed in collaboration with persons and organizations that advocate for the needs of victims of emergencies and disasters; and

(b) Include, without limitation:

(1) Plans for providing assistance to victims of emergencies or disasters;

(2) Procedures for coordinating and accepting donations on behalf of such victims of emergencies or disasters, including, without limitation, procedures that allow donations to be accepted in a manner that is convenient for donors and have low administrative costs; ~~[and]~~

(3) ***Plans for mitigating any severe heat experienced by victims of emergencies or disasters; and***

(4) Other provisions recommended by the Office for Victims of Crime of the United States Department of Justice for helping victims of mass violence and terrorism.

2. Any state emergency management plan prepared pursuant to NRS 414.060 must include, without limitation, a prescribed chain of command that includes each person responsible for overseeing or executing any part of the response to an emergency or disaster.

Sec. 33.3. Chapter 446 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A food establishment shall not use a plastic cutting board to prepare food in the food establishment.

2. A violation of this section is subject to the following administrative fines:

(a) For a first violation, a written warning;

(b) For a second violation, a fine of not more than $500 for each plastic cutting board in use in the food establishment;

(c) For a third violation, a fine of not more than $1,000 for each plastic cutting board in use in the food establishment; and

(d) For four or more violations, the health authority may suspend or revoke the permit of the food establishment pursuant to NRS 446.880.

3. The health authority shall provide guidance on complying with the requirements of this section to a food establishment that

receives a warning for a first violation of the provisions of this section.

Sec. 33.7. NRS 446.945 is hereby amended to read as follows:

446.945 Except as otherwise provided in NRS 446.872 ~~[,]~~ ***and section 33.3 of this act,*** any person who violates any of the provisions of this chapter is guilty of a misdemeanor. In addition thereto, such persons may be enjoined from continuing such violations. Each day upon which such a violation occurs shall constitute a separate violation.

Sec. 34. Chapter 644A of NRS is hereby amended by adding thereto a new section to read as follows:

1. In any county whose population is 700,000 or more, the Board shall collect and test random samples sold or offered for sale at retail stores for hair products in the county of packaged:

(a) Hair products to determine if the hair products contain formaldehyde; and

(b) Braid hair, weaves and extensions to determine if the braid hair, weaves or extensions contain known carcinogens.

2. The Board may contract or enter into a memorandum of understanding with a testing laboratory to conduct the testing required by subsection 1.

3. As used in this section, "retail store for hair products" means a retail establishment in which 90 percent or more of the business of the establishment involves the sale of hair products, braid hair, weaves or extensions.

Sec. 35. 1. There is hereby appropriated from the State General Fund to the Nevada Center for Applied Research of the University of Nevada, Reno, the sum of $75,000 to develop a scientific test to determine whether packaged synthetic hair braids contain formaldehyde and to purchase any equipment and equipment warranties necessary to develop and perform the test.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2027, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 17, 2027, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 17, 2027.

Sec. 36. The State Board of Cosmetology may enter into a memorandum of understanding with the Nevada System of Higher Education, on behalf of the Nevada Center for Applied Research of the University of Nevada, Reno, relating to the testing required by

section 34 of this act. A memorandum of understanding entered into pursuant to this section must require:

1. The staff of the Board to:

(a) Collect the random samples pursuant to subsection 1 of section 34 of this act and transmit the samples to the Nevada Center for Applied Research; and

(b) Receive training from the staff of the Nevada Center for Applied Research on collecting the necessary number of samples; and

2. The Nevada Center for Applied Research to:

(a) Test the random samples within a period of time specified in the memorandum;

(b) Provide a written report to the State Board of Cosmetology with the results of the testing; and

(c) Prepare an invoice to the Board for each batch of samples tested.

Sec. 37. A redevelopment agency that is subject to the requirements established by section 29 of this act shall:

1. Establish partnerships with the Southern Nevada Water Authority, the Desert Research Institute of the Nevada System of Higher Education and the Cooperative Extension Service of the University of Nevada, Reno, to identify drought tolerant trees to plant that will provide shade, conserve water and reduce heat island effects in accordance with the requirements of section 29 of this act; and

2. Contract with an arborist or the Cooperative Extension Service of the University of Nevada, Reno, to identify and purchase tree seedlings for planting.

Sec. 38. The provisions of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 39. 1. This section and section 38 of this act become effective upon passage and approval.

2. Sections 34, 35 and 36 of this act become effective on July 1, 2025.

3. Sections 29 to 33, inclusive, and 37 of this act become effective on October 1, 2025.

4. Sections 1 to 28, inclusive, of this act become effective on January 1, 2026.

5. Sections 33.3 and 33.7 of this act become effective on July 1, 2027.

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