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Senate Bill No. 4–Committee of the Whole

CHAPTER 8

AN ACT relating to public health; providing certain powers and duties in certain circumstances to a district health department in certain larger counties relating to public health in licensed gaming establishments; requiring the Department of Health and Human Services to establish minimum standards for cleaning in public accommodation facilities in certain counties; requiring the Department to adopt regulations requiring such a facility to adopt protocols and plans concerning the prevention of and response to SARS-CoV-2; providing for inspection of such facilities for compliance with such requirements; limiting the civil liability of certain businesses conducted for profit, governmental entities and private nonprofit organizations for personal injury or death resulting from exposure to COVID-19; authorizing the Secretary of State to suspend the state business license of a person that does not comply with certain health standards related to COVID-19; requiring the transfer of certain money to certain health districts for enforcement purposes; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law: (1) creates a health district in a county whose population is 700,000 or more (currently only Clark County); and (2) authorizes the board of county commissioners and the governing bodies of any towns or cities in a smaller county to create a health district. (NRS 439.361, 439.362, 439.370) Existing law provides for the creation of a district health department in a health district. (NRS 439.362, 439.370) **Sections 1 and 2** of this bill: (1) require a district health department in a county whose population is 100,000 or more (currently Clark and Washoe Counties), upon the request of the Nevada Gaming Control Board, to advise the Board concerning public health matters relating to licensed gaming establishments in the health district; and (2) authorize such a district health department, upon the request of the Board, to enforce regulations adopted by the Board concerning matters of public health against such an establishment.

Sections 3-15 of this bill generally: (1) require the Director of the Department of Health and Human Services and district boards of health in a county whose population is 100,000 or more (currently Clark and Washoe Counties) to adopt by regulation requirements to reduce and prevent the transmission of SARS-CoV-2 in public accommodation facilities in those counties which apply only during the duration of a declaration of a public health emergency due to SARS-CoV-2 and during other periods in which conditions concerning the prevalence of SARS-CoV-2 exist; and (2) provide for the enforcement of those regulations.

Section 11 of this bill requires the Director to adopt regulations requiring a public accommodation facility to establish standards for the cleaning of public accommodation facilities that are designed to reduce the transmission of SARS-CoV-2. **Section 12** of this bill requires the Director to adopt regulations requiring each public accommodation facility to establish protocols to: (1) limit the transmission of SARS-CoV-2; and (2) train staff concerning the prevention and mitigation of SARS-CoV-2 transmission.

Section 13 of this bill requires the Director to adopt regulations requiring each public accommodation facility to establish, implement and maintain a written SARS-CoV-2 response plan that provides testing and time off for employees who have been exposed to SARS-CoV-2 or are experiencing the symptoms of COVID-19. **Section 13** authorizes: (1) the Nevada Gaming Control Board to require a public accommodation facility under its jurisdiction to submit a copy of its written SARS-CoV-2 response plan to the Board; and (2) the health authority to require a public accommodation facility that is not under the jurisdiction of the Board to submit a copy of its written SARS-CoV-2 response plan to the health authority. **Sections 13, 32 and 33** of this bill provide for the confidentiality of those plans. **Section 14** of this bill requires the Director to adopt regulations prohibiting a public accommodation facility from retaliating against an employee for participating in proceedings related to **sections 3-15** or seeking enforcement of those provisions.

Section 31 of this bill exempts the regulations that the Director is required to adopt in **sections 11-14** from the requirements of the Nevada Administrative Procedure Act concerning the adoption, amendment or repeal of regulations. However, **section 10** of this bill requires the Director to allow any interested person to comment on the adoption, amendment or repeal of those regulations. **Section 10** also prohibits the Director from adopting regulations more stringent than necessary to carry out the requirements of this bill. **Section 15** of this bill requires a district board of health of a health district in a county whose population is 100,000 or more to adopt regulations that are substantively identical to the regulations adopted by the Director in **sections 11-14** and to subsequently amend or repeal its regulations in a conforming manner. **Section 14** provides for the enforcement by the health authority and the Nevada Gaming Control Board of the regulations adopted pursuant to and other provisions of **sections 11-15**. **Sections 16-22** of this bill make conforming changes.

Section 29 of this bill provides that certain businesses conducted for profit, governmental entities and private nonprofit organizations are immune from civil liability for personal injury or death resulting from exposure to COVID-19, if the business, governmental entity or private nonprofit organization substantially complied with controlling health standards. **Section 29** also: (1) requires the complaint in any such civil action to be pled with particularity; and (2) provides that such immunity does not apply if the business, governmental entity or private nonprofit organization violated controlling health standards with gross negligence and the gross negligence was the proximate cause of the personal injury or death. **Section 29** requires the court, as a matter of law, to determine substantial compliance with controlling health standards. **Section 34** of this bill provides that these procedures apply to any cause of action or claim that accrues before, on or after the effective date of this bill and before the later of: (1) the date on which the Governor terminates the emergency described in the Declaration of Emergency for COVID-19 issued on March 12, 2020; or (2) July 1, 2023.

Section 30 of this bill authorizes the Secretary of State to suspend the state business license of a person holding a state business license who does not comply with controlling health standards. **Section 30** requires the Secretary of State to provide notice of the suspension to the person. **Section 39** of this bill provides that the authority to suspend a state business license expires by limitation on the later of the following dates: (1) the date on which the Governor terminates the emergency described in the Declaration of Emergency issued on March 12, 2020; or (2) July 1, 2023.

Section 33.5 of this bill makes an appropriation from the State General Fund to the Legislative Fund for the costs of the 32nd Special Session.

Section 35 of this bill transfers certain money to the applicable health districts to enforce **sections 3-15** and the regulations adopted pursuant thereto. **Section 36** of this bill requires the Director and applicable district boards of health to adopt the regulations required by **sections 11-15** by a prescribed date.

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

Section 1. NRS 439.366 is hereby amended to read as follows:

439.366 1. The district board of health has the powers, duties and authority of a county board of health in the health district.

2. The district health department has jurisdiction over all public health matters in the health district.

3. The district health department:

(a) Shall, upon the request of the Nevada Gaming Control Board, advise and make recommendations to the Board on public health matters related to an establishment that possesses a nonrestricted gaming license as described in NRS 463.0177 or a restricted gaming license as described in NRS 463.0189 in the health district.

(b) May, upon the request of the Nevada Gaming Control Board, enforce regulations adopted by the Board concerning matters of public health against an establishment that possesses a nonrestricted gaming license as described in NRS 463.0177 or a restricted gaming license as described in NRS 463.0189 in the health district.

4. In addition to any other powers, duties and authority conferred on a district board of health by this section, the district board of health may by affirmative vote of a majority of all the members of the board adopt regulations consistent with law, which must take effect immediately on their approval by the State Board of Health, to:

(a) Prevent and control nuisances;

(b) Regulate sanitation and sanitary practices in the interests of the public health;

(c) Provide for the sanitary protection of water and food supplies;

(d) Protect and promote the public health generally in the geographical area subject to the jurisdiction of the health district; and

(e) Improve the quality of health care services for members of minority groups and medically underserved populations.

~~4.~~ 5. Before the adoption, amendment or repeal of a regulation, the district board of health must give at least 30 days' notice of its intended action. The notice must:

(a) Include a statement of either the terms or substance of the proposal or a description of the subjects and issues involved, and of the time when, the place where and the manner in which interested persons may present their views thereon;

(b) State each address at which the text of the proposal may be inspected and copied; and

(c) Be mailed to all persons who have requested in writing that they be placed on a mailing list, which must be kept by the board for such purpose.

~~5.~~ 6. All interested persons must be afforded a reasonable opportunity to submit data, views or arguments, orally or in writing, on the intended action to adopt, amend or repeal the regulation. With respect to substantive regulations, the district board of health shall set a time and place for an oral public hearing, but if no one appears who will be directly affected by the proposal and requests an oral hearing, the district board of health may proceed immediately to act upon any written submissions. The district board of health shall consider fully all written and oral submissions respecting the proposal.

~~6.~~ 7. The district board of health shall file a copy of all of its adopted regulations with the county clerk.

Sec. 2. NRS 439.410 is hereby amended to read as follows:

439.410 1. The district board of health has the powers, duties and authority of a county board of health in the health district.

2. The district health department has jurisdiction over all public health matters in the health district, except in matters concerning emergency medical services pursuant to the provisions of chapter 450B of NRS.

3. The district health department in a county whose population is 100,000 or more but less than 700,000:

(a) Shall, upon the request of the Nevada Gaming Control Board, advise and make recommendations to the Board on public health matters related to an establishment that possesses a nonrestricted gaming license as described in NRS 463.0177 or a restricted gaming license as described in NRS 463.0189 in the health district.

(b) May, upon the request of the Nevada Gaming Control Board, enforce regulations adopted by the Board concerning matters of public health against an establishment that possesses a nonrestricted gaming license as described in NRS 463.0177 or a restricted gaming license as described in NRS 463.0189 in the health district.

4. In addition to any other powers, duties and authority conferred on a district board of health by this section, the district board of health may by affirmative vote of a majority of all the members of the board adopt regulations consistent with law, which must take effect immediately on their approval by the State Board of Health, to:

(a) Prevent and control nuisances;

(b) Regulate sanitation and sanitary practices in the interests of the public health;

(c) Provide for the sanitary protection of water and food supplies; and

(d) Protect and promote the public health generally in the geographical area subject to the jurisdiction of the health district.

~~4.~~ 5. Before the adoption, amendment or repeal of a regulation, the district board of health must give at least 30 days' notice of its intended action. The notice must:

(a) Include a statement of either the terms or substance of the proposal or a description of the subjects and issues involved, and of the time when, the place where and the manner in which interested persons may present their views thereon.

(b) State each address at which the text of the proposal may be inspected and copied.

(c) Be mailed to all persons who have requested in writing that they be placed on a mailing list, which must be kept by the district board for such purpose.

~~5.~~ 6. All interested persons must be afforded a reasonable opportunity to submit data, views or arguments, orally or in writing, on the intended action to adopt, amend or repeal the regulation. With respect to substantive regulations, the district board shall set a time and place for an oral public hearing, but if no one appears who will be directly affected by the proposal and requests an oral hearing, the district board may proceed immediately to act upon any written submissions. The district board shall consider fully all written and oral submissions respecting the proposal.

~~6.~~ 7. Each district board of health shall file a copy of all of its adopted regulations with the county clerk of each county in which it has jurisdiction.

Sec. 3. Chapter 447 of NRS is hereby amended by adding thereto the provisions set forth as sections 4 to 15, inclusive, of this act.

Sec. 4. 1. The provisions of sections 4 to 15, inclusive, of this act apply to a county whose population is 100,000 or more.

2. The regulations adopted pursuant to sections 11 to 15, inclusive, of this act and, except as otherwise provided in subsection 3, the powers, requirements and prohibitions set forth in provisions of sections 4 to 15, inclusive, of this act apply:

(a) During any period in which a public health emergency due to SARS-CoV-2 has been declared by the Governor and remains in effect; or

(b) Each day on which:

(1) The rate of positive test results for SARS-CoV-2 in the county reported by the Division of Public and Behavioral Health of the Department exceeds 5 percent in any rolling 14-day period in the 90-day period immediately preceding that day; or

(2) The number of new COVID-19 cases in the county reported by the Division of Public and Behavioral Health of the Department exceeds 100 new cases per 100,000 residents in any rolling 14-day period in the 90-day period immediately preceding that day.

3. The provisions of subsection 2 do not apply to the requirements relating to the adoption, amendment or repeal of regulations pursuant to sections 11 to 15, inclusive, of this act.

Sec. 5. As used in sections 4 to 15, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 6 to 9, inclusive, of this act have the meanings ascribed to them in those sections.

Sec. 6. "Director" means the Director of the Department of Health and Human Services.

Sec. 7. "Employee" means any natural person in the service of an employer operating a public accommodation facility who provides such service under any appointment or contract of hire or apprenticeship, express or implied, oral or written, whether lawfully or unlawfully employed.

Sec. 8. "Health authority" means the officers and agents of the district health department or, in a location that is not part of a health district, the officers and agents of the Division of Public and Behavioral Health of the Department of Health and Human Services.

Sec. 9. "Public accommodation facility" or "facility" means a hotel and casino, resort, hotel, motel, hostel, bed and breakfast facility or other facility offering rooms or areas to the public for monetary compensation or other financial consideration on an hourly, daily or weekly basis.

Sec. 10. 1. Any regulation adopted, amended or repealed by the Director pursuant to sections 11 to 14, inclusive, of this act must not exceed or be inconsistent with the requirements of those sections.

2. The Director must allow any interested person a reasonable opportunity to submit written or oral comment concerning the amendment or repeal of a regulation pursuant to sections 11 to 14, inclusive, of this act.

Sec. 11. 1. The Director shall adopt regulations requiring a public accommodation facility to establish standards for cleaning that are designed to reduce the transmission of SARS-CoV-2. Those standards must require only the following and with no greater frequency than provided in this section:

(a) The use of cleaning products that are qualified by the United States Environmental Protection Agency for use against SARS-CoV-2 for the cleaning required by paragraphs (b) to (p), inclusive.

(b) Desks, tabletops, minibars that have been used after the most recent cleaning, interior and exterior handles of doors, faucets, toilets, nonporous headboards of beds, light switches, remote controls, telephones, keyboards, touch screens, bed linens, towels, bed scarves and other decorative items on beds in guest rooms to be cleaned every day that the room is in use unless the guest using the room declines in-room housekeeping.

(c) The following high-contact areas and items in locations used by the public and employees to be cleaned regularly throughout the day while in use:

(1) Fixtures with which guests and employees may be expected to have regular physical contact;

(2) Doors and door handles at exterior entrances;

(3) Door handles at interior entrances regularly accessed by guests and employees;

(4) Regularly used computer keyboards, touch screens, credit card readers, printers, telephones, light switches, ice machines, vending machines and other frequently used instruments and equipment; and

(5) Countertops and desks in entrance areas and other high-usage areas.

(d) Glass surfaces, desks, tabletops, door handles and light switches in public areas to be cleaned regularly throughout the day while in use.

(e) Counters, desks, touch screens, keyboards, credit card readers and desktops in front desk areas to be cleaned regularly throughout the day while in use.

(f) Key cards and other types of keys for accessing rooms to be cleaned before those key cards or other keys are issued to another guest or removed from circulation for at least 24 hours after a guest checks out.

(g) Elevator buttons and rails in guest and service elevators to be cleaned regularly throughout the day if the elevator is in use.

(h) Sinks, faucets, walls, toilets, toilet paper dispensers and door handles in employee and public restrooms to be cleaned regularly throughout the day while in use.

(i) Work surfaces, tables, utensils, counters, touch screens and keyboards in areas used for food preparation to be cleaned regularly throughout the day.

(j) Tables, desks, tabletops, door handles and light switches in shared offices, employee locker rooms and employee cafeterias to be cleaned regularly throughout the day while in use.

(k) Exercise equipment, weights, tables, countertops, chairs, lockers and benches in fitness centers to be cleaned regularly throughout the day while in use.

(l) Tabletops in meeting rooms to be cleaned while in use.

(m) Tables, bartops, menus and check presentation holders in bar and dining facilities to be cleaned after use by a guest.

(n) Touch screens and keyboards in bar and dining facilities to be cleaned regularly while in use.

(o) Soiled laundry to be cleaned as necessary.

(p) Laundry carts and hampers to be cleaned regularly throughout the day while in use.

2. A public accommodation facility shall not advise or incentivize guests to decline daily in-room housekeeping.

3. An employer operating a public accommodation facility shall conspicuously post at each employee entrance and on each bulletin board where the facility regularly posts official communications with employees:

(a) A one-page summary of the standards adopted pursuant to subsection 1; and

(b) A list of key contact persons at public health agencies.

4. An employer operating a public accommodation facility shall make available to employees or their bargaining representative a physical or electronic copy of the standards adopted pursuant to subsection 1 upon request at no cost.

Sec. 12. The Director shall adopt regulations requiring each public accommodation facility to establish protocols to:

1. Limit the transmission of SARS-CoV-2. Such protocols, must include only the following:

(a) Methods to encourage, to the extent reasonably possible:

(1) Employees to remain at least 6 feet apart from other employees and guests during their work and while on break.

(2) Guests to remain at least 6 feet apart from employees and other guests.

(b) A requirement that employee breaks must be structured to allow social distancing to the maximum extent recommended by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services.

(c) A requirement that workstations must be separated by physical barriers or structured to allow social distancing where practicable to the maximum extent recommended by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services.

(d) Requirements concerning the frequency of hand cleaning for employees.

(e) A requirement that each employee be provided with access to a sink with soap and water for hand washing or hand sanitizer containing at least 60 percent alcohol within reasonable proximity to the work area of the employee.

(f) Policies providing for the availability of hand sanitizer containing at least 60 percent alcohol near locations where employee meetings are held, breakrooms and cafeterias for employees, front desks, bell desks, lobbies, entrances to food and beverage service and preparation areas, principal entrances to the facility and, in a resort hotel, on the casino floor, if:

(1) Those areas are not near hand washing facilities with soap and water; and

(2) A supply of hand sanitizer containing at least 60 percent alcohol is generally available.

(g) Policies for the distribution, at no cost to the employee, of masks and, where appropriate, gloves, based on public health concerns.

2. Train staff concerning the prevention and mitigation of SARS-CoV-2 transmission in the manner prescribed by the Director.

Sec. 13. 1. The Director shall adopt regulations requiring each public accommodation facility to establish, implement and maintain a written SARS-CoV-2 response plan designed to monitor and respond to instances and potential instances of SARS-CoV-2 infection among employees and guests. The plan must include only the following:

(a) The designation of a person or persons responsible for overseeing and carrying out on-site enforcement of the plan. The regulations must not require such a person or persons to be on-site at all times.

(b) A requirement that each new employee and each employee returning to work for the first time after March 13, 2020, must undergo testing for SARS-CoV-2, if such testing is available.

(c) The designation of an area of the public accommodation facility where employees will check in every day to receive contact-free temperature measurement and review questions to screen for exposure to SARS-CoV-2.

(d) Requirements that:

(1) The public accommodation facility must notify each employee who is known to have had close contact with a guest or employee who has been diagnosed with COVID-19 not later than 24 hours or as soon as practicable after the employer learns of the diagnosis; and

(2) Each such employee must undergo testing for SARS-CoV-2 and, in addition to any other leave to which the employee is entitled, be given:

(I) Not more than 3 days of paid time off to await testing and testing results; and

(II) Additional paid time off if the public accommodation facility receives documentation of a delay in testing or receiving testing results that exceeds 3 days.

(e) A requirement that each employee who otherwise has a reasonable belief or has been advised that he or she has been in close contact with a person who has tested positive for SARS-CoV-2 must undergo testing for SARS-CoV-2.

(f) Requirements that each employee who notifies his or her employer that he or she is experiencing symptoms of COVID-19:

(1) Must undergo testing for SARS-CoV-2; and

(2) Must not return to work while awaiting the results of that testing.

(g) Requirements that each employee described in paragraph (e) or (f) must, in addition to any other leave to which the employee is entitled, be given for the first occurrence on which the employee gives the employer such notification:

(1) Not more than 3 days of paid time off to await testing and testing results; and

(2) Additional paid time off if the public accommodation facility receives documentation of a delay in testing or receiving testing results that exceeds 3 days.

(h) A requirement that, except as otherwise provided in subsection 3, each employee who tests positive for SARS-CoV-2 or is otherwise diagnosed with COVID-19 and is working or has been recalled to work at the time of the result or diagnosis must be allowed to take at least 14 days off, at least 10 of which must be paid time off.

(i) A requirement that testing for SARS-CoV-2 required by this section must be:

(1) Provided at no cost to the employee; and

(2) Performed on-site or at a testing facility selected by the public accommodation facility.

(j) A requirement that an employee that is required to be tested pursuant to this section authorize the provision of or provide the testing results to the public accommodation facility;

(k) A requirement that any guest who reports testing positive for SARS-CoV-2 or being diagnosed with COVID-19 must be requested to leave the public accommodation facility if practicable and seek medical attention.

(l) A requirement that information pertaining to employees and guests who test positive for SARS-CoV-2 or who are diagnosed with or report symptoms of COVID-19 must be kept confidential, unless the employee or guest agrees otherwise and except as required to be disclosed to public health officials and for purposes of contract tracing or cleaning.

2. The regulations adopted pursuant to this section must define the term “close contact” to have the meaning most recently ascribed to it by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services for the purpose of determining when a person has been in close contact with another person who has tested positive for SARS-CoV-2.

3. An employer who operates a public accommodation facility may submit a request to the Director to increase or decrease the amount of days off required by paragraph (h) of subsection 1. The Director may grant such a request if it is consistent with the recommendations of the Centers for Disease Control and Prevention of the United States Department of Health and Human Services concerning time off for employees who test positive for SARS-CoV-2 or are otherwise diagnosed with COVID-19.

4. For the purposes of this section, paid time off must be calculated at the base rate of pay for the employee. Paid time off taken pursuant to this section:

(a) Must not be deducted from paid time off provided to the employee pursuant to NRS 608.0197 or a policy or contract of the public accommodation facility.

(b) May be deducted from paid sick leave provided pursuant to section 5102(a)(1)-(3) of the Families First Coronavirus Response Act, P.L. 116-127.

5. The health authority may require a public accommodation facility that is not under the jurisdiction of the Nevada Gaming Control Board to submit a written SARS-CoV-2 response plan to the health authority. Except as otherwise provided in this section and notwithstanding any other law, a written SARS-CoV-2 response plan submitted to the health authority is confidential. The health authority may disclose all or a part of such a plan upon:

(a) The request of an authorized agent of the Federal Government, a foreign government or a state or local governmental entity in this State or any of the several states, territories, possessions and dependencies of the United States, the District of Columbia or Puerto Rico.

(b) The order of a court of competent jurisdiction.

(c) Specific authorization of the chief administrative officer of the health district or, in a location that is not part of a health district, the Chief Medical Officer.

6. The Nevada Gaming Control Board may require a public accommodation facility that is under the jurisdiction of the Board to submit a written SARS-CoV-2 response plan to the Board, either alone or as part of an emergency response plan adopted pursuant to NRS 463.790.

7. The provisions of this section must not be construed to preclude an employee who is exposed to or tests positive for SARS-CoV-2 or is diagnosed with COVID-19 from choosing to perform his or her duties remotely instead of taking time off if the job duties of the

employee are conducive to remote work.

Sec. 14. 1. The health authority may, upon receiving a complaint or at any time, inspect a public accommodation facility to ensure compliance with the provisions of sections 4 to 15, inclusive, of this act and the regulations adopted pursuant thereto. The health authority shall inspect for such compliance:

(a) Except as otherwise provided in paragraph (b), each public accommodation facility with more than 200 rooms available for sleeping accommodations at least once every 3 months.

(b) Each resort hotel at least once every 2 months.

2. Upon discovering a violation of the provisions of sections 4 to 15, inclusive, of this act or the regulations adopted pursuant thereto and after notice and the opportunity for a hearing, the health authority:

(a) Shall order the public accommodation facility to correct the violation.

(b) May impose an administrative fine of not more than $500 for each initial violation or $1,000 for each second or subsequent violation.

(c) If the violation occurs at a public accommodation facility that is not a resort hotel, may notify any local governmental entity responsible for licensing or regulating the public accommodation facility. Upon receiving such notification, the local governmental entity shall review the violation and may take further action, including, without limitation, suspending or revoking the license of the public accommodation facility, to enforce the provisions of sections 4 to 15, inclusive, of this act and the regulations adopted pursuant thereto. Such action must be taken in accordance with any procedures established by the local governmental entity for actions to enforce statutes or regulations or impose disciplinary action generally.

(d) If the violation occurs at a facility subject to the jurisdiction of the Nevada Gaming Control Board, shall notify the Board. Upon receiving such notification, the Board may take further action to enforce the provisions of sections 4 to 15, inclusive, of this act and the regulations adopted pursuant thereto. Such action must be taken in accordance with any procedures established by the Board for actions to enforce statutes or regulations or impose disciplinary action generally.

3. The Director shall adopt regulations prohibiting a public accommodation facility from discharging, reducing the compensation of, increasing the workload of, imposing fees or charges on, changing the duties of or otherwise taking adverse action against an employee in retaliation for participating in proceedings related to sections 4 to 15, inclusive, of this act, or seeking enforcement of those provisions.

4. As used in this section, "resort hotel" has the meaning ascribed to it in NRS 463.01865.

Sec. 15. 1. Within 15 days after the adoption, amendment or repeal of a regulation by the Director pursuant to sections 11 to 14, inclusive, of this act, a district board of health shall, as applicable, adopt a substantively identical regulation or amend or repeal its substantively identical regulation in a conforming manner.

2. The provisions of subsections 5 and 6 of NRS 439.366 or subsections 5 and 6 of NRS 439.410, as applicable, do not apply to the adoption, amendment or repeal of a regulation by a district board of health pursuant to subsection 1.

Sec. 16. NRS 447.003 is hereby amended to read as follows:

447.003 As used in ~~this chapter,~~ NRS 447.003 to 447.210, inclusive, unless the context otherwise requires, the words and terms defined in NRS 447.007 and 447.010 have the meanings ascribed to them in those sections.

Sec. 17. NRS 447.020 is hereby amended to read as follows:

447.020 1. All bedding, bedclothes or bed covering, including mattresses, quilts, blankets, sheets, pillows or comforters, used in any hotel in this state must be kept clean and free from all filth or dirt. 2. No bedding, bedclothes or bed covering, including mattresses, quilts, blankets, sheets, pillows or comforters, shall be used which is worn out or unsanitary for use by human beings according to the true intent and meaning of ~~this chapter.~~ NRS 447.003 to 447.210, inclusive.

Sec. 18. NRS 447.050 is hereby amended to read as follows:

447.050 It is unlawful for any person to use, or to permit another person to use, any of the following portions of a hotel for living or sleeping purposes:

1. Any kitchen, cellar, hallway, water closet, bath, shower compartment, or slop-sink room.

2. Any other room or place which does not comply with the provisions of ~~this chapter,~~ NRS 447.003 to 447.210, inclusive, or in which, in the judgment of the health authority, living or sleeping is dangerous or prejudicial to life or health by reason of an overcrowded condition, a want of light, windows, ventilation or drainage, dampness, or offensive or obnoxious odors or poisonous gases in the room or place, or a lack of exits as required by the Uniform Building Code in the form most recently adopted before January 1, 1985, by the International Conference of Building Officials.

Sec. 19. NRS 447.150 is hereby amended to read as follows:

447.150 1. The health authority may exempt any hotel built prior to October 1, 1945, from having the number of water closets, bathtubs or showers required by ~~this chapter~~ NRS 447.003 to 447.210, inclusive, for the following reason: The exemption will not result in detriment to the health of the occupants or to the sanitation of the building.

2. The health authority has no authority under this section to exempt any hotel or portion of a hotel built after October 1, 1945, from having the number of water closets, bathtubs or showers required by ~~this chapter.~~ NRS 447.003 to 447.210, inclusive.

Sec. 20. NRS 447.190 is hereby amended to read as follows:

447.190 The health authority is charged with the enforcement of ~~this chapter.~~ NRS 447.003 to 447.210, inclusive. The health authority shall keep a record of hotels inspected, and the record or any part thereof may, in the discretion of the health authority, be included in the biennial report to the Director of the Department of Health and Human Services.

Sec. 21. NRS 447.200 is hereby amended to read as follows:

447.200 The health authority shall have access at any time to any hotel in this State for the purpose of making inspections and carrying out the provisions of ~~this chapter.~~ NRS 447.003 to 447.210, inclusive.

Sec. 22. NRS 447.210 is hereby amended to read as follows:

447.210 1. Every proprietor, owner, manager, lessee or other person in charge of any hotel in this state who fails to comply with the provisions of NRS 447.003 to 447.200, inclusive, or any of the provisions of the regulations hereby established whether through the acts of himself or herself, his or her agent or employees is guilty of a misdemeanor.

2. Every day that any hotel is in violation of any of the provisions of ~~this chapter~~ NRS 447.003 to 447.200, inclusive, constitutes a separate offense.

Sec. 23. Chapter 41 of NRS is hereby amended by adding thereto the provisions set forth as sections 24 to 29, inclusive, of this act.

Sec. 24. As used in sections 24 to 29, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 25 to 28, inclusive, of this act have the meanings ascribed to them in those sections.

Sec. 25. 1. "Business" means a natural person, or a corporation, partnership, association or other business organization, engaging in an activity for profit at a premises located in this State.

2. The term does not include a business that operates:

(a) An agency to provide nursing in the home as defined in NRS 449.0015;

(b) A facility for hospice care as defined in NRS 449.0033;

(c) A facility for intermediate care as defined in NRS 449.0038;

(d) A facility for skilled nursing as defined in NRS 449.0039;

(e) A hospital as defined in NRS 449.012; or

(f) An independent center for emergency medical care as defined in NRS 449.013.

Sec. 26. "COVID-19" means:

1. The novel coronavirus identified as SARS-CoV-2;

2. Any mutation of the novel coronavirus identified as SARS-CoV-2; or

3. A disease or health condition caused by the novel coronavirus identified as SARS-CoV-2.

Sec. 27. 1. "Governmental entity" means the State of Nevada or any of its agencies or political subdivisions. As used in this subsection, "political subdivision" includes any organization or entity described in NRS 41.0305.

2. The term does not include any public school entity for pupils in preschool, kindergarten, or any grades 1 through 12, including, without limitation, a school district, a charter school or a university school for profoundly gifted pupils.

Sec. 28. 1. "Nonprofit organization" means any private organization not operated for profit.

2. The term, includes, without limitation, an organization for youth sports or an alumni, charitable, civic, educational, fraternal, patriotic, religious, labor or veterans' organization, a credit union organized under the provisions of chapter 672 of NRS or the Federal Credit Union Act, or a state or local bar association, that:

(a) Has been determined pursuant to NRS 372.326 to be created for religious, charitable or educational purposes; or

(b) Qualifies as a tax exempt organization pursuant to 26 U.S.C. § 501(c).

3. The term does not include a nonprofit organization that operates:

(a) An agency to provide nursing in the home as defined in NRS 449.0015;

(b) A facility for hospice care as defined in NRS 449.0033;

(c) A facility for intermediate care as defined in NRS 449.0038;

(d) A facility for skilled nursing as defined in NRS 449.0039;

(e) A hospital as defined in NRS 449.012; or

(f) An independent center for emergency medical care as defined in NRS 449.013.

Sec. 29. 1. In any civil action where a plaintiff alleges a personal injury or death as a result of exposure to COVID-19 while on a premises owned or operated by an entity, or during an activity conducted or managed by the entity:

(a) The complaint must be pled with particularity.

(b) If the entity was in substantial compliance with controlling health standards, the entity is immune from liability unless the plaintiff pleads sufficient facts and proves that:

(1) The entity violated controlling health standards with gross negligence; and

(2) The gross negligence was the proximate cause of the plaintiff's personal injury or death.

(c) If the entity was not in substantial compliance with controlling health standards:

(1) The plaintiff may pursue any claim recognized at common law or by statute; and

(2) The immunity described in paragraph (b) does not apply to the entity.

2. The court shall determine as a matter of law whether an entity was in substantial compliance with controlling health standards at the time of an alleged exposure to COVID-19. The plaintiff has the burden of establishing the entity was not in substantial compliance with controlling health standards.

3. As used in this section:

(a) "Controlling health standards" means any of the following that are clearly and conspicuously related to COVID-19 and that prescribed the manner in which an entity must operate at the time of the alleged exposure:

(1) A federal, state or local law, regulation or ordinance; or

(2) A written order or other document published by a federal, state or local government or regulatory body.

(b) "Entity" means a business, governmental entity or nonprofit organization and the officers and employees of the business, governmental entity or nonprofit organization.

(c) "Premises" means any real property located in this State.

(d) "Substantial compliance" means the good faith efforts of an entity to help control the spread of COVID-19 in conformity with controlling health standards. The entity may demonstrate substantial compliance by establishing policies and procedures to enforce and implement the controlling health standards in a reasonable manner. Isolated or unforeseen events of noncompliance with the controlling health standards do not demonstrate noncompliance by the entity.

Sec. 30. Chapter 76 of NRS is hereby amended by adding thereto a new section to read as follows:

1. In addition to the grounds for suspension or revocation of a state business license set forth in NRS 76.170, if a person who holds a state business license fails to comply with controlling health standards, the Secretary of State may suspend the state business license of the person until the person complies, in good faith, with controlling health standards.

2. If the license is suspended, the Secretary of State shall provide written notice of the action to the person who holds the state business license.

3. As used in this section:

(a) "Controlling health standards" means any of the following that are clearly and conspicuously related to COVID-19 and that prescribed the manner in which a business must operate at the time the person allegedly failed to comply:

(1) A federal, state or local law, regulation or ordinance; or

(2) A written order or other document published by a federal, state or local government or regulatory body.

(b) "COVID-19" means:

(1) The novel coronavirus identified as SARS-CoV-2;

(2) Any mutation of the novel coronavirus identified as SARS-CoV-2; or

(3) A disease or health condition caused by the novel coronavirus identified as SARS-CoV-2.

Sec. 31. NRS 233B.039 is hereby amended to read as follows:

233B.039 1. The following agencies are entirely exempted from the requirements of this chapter:

(a) The Governor.

(b) Except as otherwise provided in NRS 209.221, the Department of Corrections.

(c) The Nevada System of Higher Education.

(d) The Office of the Military.

(e) The Nevada Gaming Control Board.

(f) Except as otherwise provided in NRS 368A.140 and 463.765, the Nevada Gaming Commission.

(g) Except as otherwise provided in NRS 425.620, the Division of Welfare and Supportive Services of the Department of Health and Human Services.

(h) Except as otherwise provided in NRS 422.390, the Division of Health Care Financing and Policy of the Department of Health and Human Services.

(i) Except as otherwise provided in NRS 533.365, the Office of the State Engineer.

(j) The Division of Industrial Relations of the Department of Business and Industry acting to enforce the provisions of NRS 618.375.

(k) The Administrator of the Division of Industrial Relations of the Department of Business and Industry in establishing and adjusting the schedule of fees and charges for accident benefits pursuant to subsection 2 of NRS 616C.260.

(l) The Board to Review Claims in adopting resolutions to carry out its duties pursuant to NRS 445C.310.

(m) The Silver State Health Insurance Exchange.

(n) The Cannabis Compliance Board.

2. Except as otherwise provided in subsection 5 and NRS 391.323, the Department of Education, the Board of the Public Employees' Benefits Program and the Commission on Professional Standards in Education are subject to the provisions of this chapter for the purpose of adopting regulations but not with respect to any contested case.

3. The special provisions of:

(a) Chapter 612 of NRS for the distribution of regulations by and the judicial review of decisions of the Employment Security Division of the Department of Employment, Training and Rehabilitation;

(b) Chapters 616A to 617, inclusive, of NRS for the determination of contested claims;

(c) Chapter 91 of NRS for the judicial review of decisions of the Administrator of the Securities Division of the Office of the Secretary of State; and

(d) NRS 90.800 for the use of summary orders in contested cases,

prevail over the general provisions of this chapter.

4. The provisions of NRS 233B.122, 233B.124, 233B.125 and 233B.126 do not apply to the Department of Health and Human Services in the adjudication of contested cases involving the issuance of letters of approval for health facilities and agencies.

5. The provisions of this chapter do not apply to:

(a) Any order for immediate action, including, but not limited to, quarantine and the treatment or cleansing of infected or infested animals, objects or premises, made under the authority of the State Board of Agriculture, the State Board of Health, or any other agency of this State in the discharge of a responsibility for the preservation of human or animal health or for insect or pest control;

(b) An extraordinary regulation of the State Board of Pharmacy adopted pursuant to NRS 453.2184;

(c) A regulation adopted by the State Board of Education pursuant to NRS 388.255 or 394.1694;

(d) The judicial review of decisions of the Public Utilities Commission of Nevada;

(e) The adoption, amendment or repeal of policies by the Rehabilitation Division of the Department of Employment, Training and Rehabilitation pursuant to NRS 426.561 or 615.178;

(f) The adoption or amendment of a rule or regulation to be included in the State Plan for Services for Victims of Crime by the Department of Health and Human Services pursuant to NRS 217.130; ~~or~~

(g) The adoption, amendment or repeal of rules governing the conduct of contests and exhibitions of unarmed combat by the Nevada Athletic Commission pursuant to NRS 467.075~~.~~ ; or

(h) The adoption, amendment or repeal of regulations by the Director of the Department of Health and Human Services pursuant to sections 11 to 14, inclusive, of this act.

6. The State Board of Parole Commissioners is subject to the provisions of this chapter for the purpose of adopting regulations but not with respect to any contested case.

Sec. 32. 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, 41.071, 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.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, 176.01249, 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, 226.300, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105, 239.0113, 239.014, 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, 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, 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534, 433A.360, 437.145, 437.207, 439.4941, 439.840, 439.914, 439B.420, 439B.754, 439B.760, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735, 442.774, 445A.665, 445B.570, 445B.7773, 449.209, 449.245, 449.4315, 449A.112, 450.140, 450B.188, 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484A.469, 484E.070, 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070, 603A.210, 604A.303, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069, 630.133, 630.2673, 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125, 632.3415, 632.405, 633.283, 633.301, 633.4715, 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085, 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730, 640C.580, 640C.600, 640C.620, 640C.745, 640C.760, 640D.190, 640E.340, 641.090, 641.221, 641.325, 641A.191, 641A.262, 641A.289, 641B.170, 641B.282, 641B.460, 641C.760, 641C.800, 642.524, 643.189, 644A.870, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710, 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159, 711.600, and section 13 of this act, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

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

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

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

(a) The public record:

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

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

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

(1) Give access to proprietary software; or

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

5. An officer, employee or agent of a governmental entity who 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. 33. NRS 463.120 is hereby amended to read as follows:

463.120 1. The Board and the Commission shall cause to be made and kept a record of all proceedings at regular and special meetings of the Board and the Commission. These records are open to public inspection.

2. The Board shall maintain a file of all applications for licenses under this chapter and chapter 466 of NRS, together with a record of all action taken with respect to those applications. The file and record are open to public inspection.

3. The Board and the Commission may maintain such other files and records as they may deem desirable.

4. Except as otherwise provided in this section, all information and data:

(a) Required by the Board or Commission to be furnished to it under chapters 462 to 466, inclusive, of NRS or any regulations adopted pursuant thereto or which may be otherwise obtained relative to the finances, earnings or revenue of any applicant or licensee;

(b) Pertaining to an applicant's or natural person's criminal record, antecedents and background which have been furnished to or obtained by the Board or Commission from any source;

(c) Provided to the members, agents or employees of the Board or Commission by a governmental agency or an informer or on the assurance that the information will be held in confidence and treated as confidential;

(d) Obtained by the Board from a manufacturer, distributor or operator, or from an operator of an inter-casino linked system, relating to the manufacturing of gaming devices or the operation of an inter-casino linked system; ~~or~~

(e) Obtained by the Board from a public accommodation facility pursuant to section 13 of this act; or

(f) Prepared or obtained by an agent or employee of the Board or Commission pursuant to an audit, investigation, determination or hearing,

are confidential and may be revealed in whole or in part only in the course of the necessary administration of this chapter or upon the lawful order of a court of competent jurisdiction. The Board and Commission may reveal such information and data to an authorized agent of any agency of the United States Government, any state or any political subdivision of a state or the government of any foreign country. Notwithstanding any other provision of state law, such information may not be otherwise revealed without specific authorization by the Board or Commission.

5. Notwithstanding any other provision of state law, any and all information and data prepared or obtained by an agent or employee of the Board or Commission relating to an application for a license, a finding of suitability or any approval that is required pursuant to the provisions of chapters 462 to 466, inclusive, of NRS or any regulations adopted pursuant thereto, are confidential and absolutely privileged and may be revealed in whole or in part only in the course of the necessary administration of such provisions and with specific authorization and waiver of the privilege by the Board or Commission. The Board and Commission may reveal such information and data to an authorized agent of any agency of the United States Government, any state or any political subdivision of a state or the government of any foreign country.

6. Notwithstanding any other provision of state law, if any applicant or licensee provides or communicates any information and data to an agent or employee of the Board or Commission in connection with its regulatory, investigative or enforcement authority:

(a) All such information and data are confidential and privileged and the confidentiality and privilege are not waived if the information and data are shared or have been shared with an authorized agent of any agency of the United States Government, any state or any political subdivision of a state or the government of any foreign country in connection with its regulatory, investigative or enforcement authority, regardless of whether such information and data are shared or have been shared either before or after being provided or communicated to an agent or employee of the Board or Commission; and

(b) The applicant or licensee has a privilege to refuse to disclose, and to prevent any other person or governmental agent, employee or agency from disclosing, the privileged information and data.

7. Before the beginning of each legislative session, the Board shall submit to the Legislative Commission for its review and for the use of the Legislature a report on the gross revenue, net revenue and average depreciation of all licensees, categorized by class of licensee and geographical area and the assessed valuation of the property of all licensees, by category, as listed on the assessment rolls.

8. Notice of the content of any information or data furnished or released pursuant to subsection 4 may be given to any applicant or licensee in a manner prescribed by regulations adopted by the Commission.

9. The files, records and reports of the Board are open at all times to inspection by the Commission and its authorized agents.

10. All files, records, reports and other information pertaining to gaming matters in the possession of the Nevada Tax Commission must be made available to the Board and the Nevada Gaming Commission as is necessary to the administration of this chapter.

11. For the purposes of this section, “information and data” means all information and data in any form, including, without limitation, any oral, written, audio, visual, digital or electronic form, and the term includes, without limitation, any account, book, correspondence, file, message, paper, record, report or other type of document, including, without limitation, any document containing self-evaluative assessments, self-critical analysis or self-appraisals of an applicant’s or licensee’s compliance with statutory or regulatory requirements.

Sec. 33.5. There is hereby appropriated from the State General Fund to the Legislative Fund created by NRS 218A.150 the sum of $410,000 for the costs of the 32nd Special Session.

Sec. 34. The provisions of sections 24 to 29, inclusive, of this act apply only to a cause of action or claim arising from a personal injury or death specified in section 29 of this act that accrues before, on or after the effective date of this act and before the later of:

1. The date on which the Governor terminates the emergency described in the Declaration of Emergency for COVID-19 issued on March 12, 2020; or

2. July 1, 2023.

Sec. 35. 1. Within 15 days after the effective date of this act, the Chief of the Budget Division of the Office of Finance created by NRS 223.400 shall transfer from Budget Account 101-1327:

(a) The sum of $2,000,000 to the Southern Nevada Health District created pursuant to NRS 439.362 to enforce the provisions of sections 4 to 15, inclusive, of this act and the regulations adopted thereto.

(b) The sum of $500,000 to the Washoe County Health District created pursuant to NRS 439.370 to enforce the provisions of sections 4 to 15, inclusive, of this act and the regulations adopted thereto.

2. All money transferred pursuant to subsection 1 must be expended by the recipient health district on or before December 30, 2020. Any remaining balance of the money must not be committed for expenditure on or after December 30, 2020, by the recipient health district or any entity to which the money is granted or otherwise transferred in any manner, and any portion of the money remaining must not be spent for any purpose after December 30, 2020, by either the recipient health district or the entity to which the money was subsequently granted or transferred, and must be reverted to Budget Account 101-1327 on or before December 30, 2020.

Sec. 36. 1. The Director of the Department of Health and Human Services shall adopt the initial regulations required by sections 11 to 14, inclusive, of this act not later than 20 days after the effective date of this act.

2. Notwithstanding the 15-day requirement set forth in section 15 of this act, a district board of health of a health district, as required by section 15 of this act, shall adopt regulations that are substantively identical to the regulations adopted by the Director pursuant to subsection 1 within 30 days after the effective date of this act or within 10 days after the adoption of the regulations by the Director pursuant to subsection 1, whichever is earlier.

Sec. 37. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 38. Notwithstanding the provisions of NRS 218D.430 and 218D.435, a committee may vote on this act before the expiration of the period prescribed for the return of a fiscal note in NRS 218D.475. This section applies retroactively from and after August 1, 2020.

Sec. 39. 1. This act becomes effective upon passage and approval.

2. Section 30 of this act expires by limitation on the later of:

(a) The date on which the Governor terminates the emergency described in the Declaration of Emergency for COVID-19 issued on March 12, 2020; or

(b) July 1, 2023.

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