

ASSEMBLY BILL NO. 186—ASSEMBLYWOMAN KASAMA

FEBRUARY 20, 2023

Referred to Committee on Health and Human Services

SUMMARY—Establishes requirements relating to the provision of drinking water at food establishments. (BDR 40-454)

FISCAL NOTE: Effect on Local Government: No. Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to food establishments; prohibiting a food establishment from providing drinking water unless requested by a customer; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law sets forth various provisions governing the regulation of food
2 establishments. (Chapter 446 of NRS) Existing law further requires a health
3 authority to inspect each food establishment in this State at least once each year.
4 (NRS 446.885) **Section 1** of this bill prohibits a food establishment from providing
5 drinking water to a customer unless the customer requests drinking water. **Section 1**
6 also: (1) requires a food establishment to demonstrate compliance with this
7 prohibition upon inspection by the health authority; and (2) authorizes the State
8 Board of Health and local boards of health to adopt regulations setting forth how a
9 food establishment may show compliance with this prohibition.
10 **Sections 1 and 2** of this bill provide that a food establishment is not subject to
11 any penalty or fine for a violation of **section 1**.

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

1 **Section 1.** Chapter 446 of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 *1. A food establishment may not provide drinking water to a*
4 *customer unless the customer requests drinking water.*
5 *2. During an inspection conducted by the health authority*
6 *pursuant to NRS 446.885, a food establishment shall demonstrate*



1 *to the satisfaction of the health authority that the food*  
2 *establishment complies with the provisions of subsection 1. The*  
3 *regulations adopted by the State Board of Health or a local board*  
4 *of health pursuant to NRS 446.940 may set forth requirements for*  
5 *a food establishment to demonstrate such compliance.*

6 *3. A food establishment is not subject to any penalty or fine*  
7 *for a violation of this section.*

8 **Sec. 2.** NRS 446.945 is hereby amended to read as follows:

9 446.945 Except as otherwise provided in NRS 446.872 ~~§~~ *and*  
10 *section 1 of this act*, any person who violates any of the provisions  
11 of this chapter is guilty of a misdemeanor. In addition thereto, such  
12 persons may be enjoined from continuing such violations. Each day  
13 upon which such a violation occurs shall constitute a separate  
14 violation.

