

ASSEMBLY BILL NO. 52—COMMITTEE
ON COMMERCE AND LABOR

(ON BEHALF OF THE CITY OF RENO)

PREFILED DECEMBER 15, 2010

Referred to Committee on Commerce and Labor

SUMMARY—Makes certain temporary governmental employees ineligible for unemployment compensation. (BDR 53-318)

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 unemployment compensation; making certain temporary governmental employees ineligible for unemployment compensation; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 This bill adds certain seasonal employees of the state and local governments to
- 2 the list of employees who are ineligible for unemployment compensation.

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

- 1 **Section 1.** NRS 612.115 is hereby amended to read as follows:
- 2 612.115 1. “Employment” includes service performed in the
- 3 employ of this State, or of any political subdivision thereof, or of
- 4 any instrumentality of this State or its political subdivisions which is
- 5 owned by this State or one or more of its political subdivisions alone
- 6 or in conjunction with one or more other states or political
- 7 subdivisions thereof, which is excluded from the definition of
- 8 “employment” by the provisions of 26 U.S.C. § 3306(c)(7), except
- 9 service:
- 10 (a) As an elected official;



1 (b) As a member of a legislative body, or a member of the
2 judiciary, of the State or a political subdivision;

3 (c) As a member of the Nevada National Guard or Nevada Air
4 National Guard;

5 (d) In employment serving on a temporary basis in case of fire,
6 storm, snow, earthquake, flood or similar emergency;

7 (e) In a position which, pursuant to state law, is designated as a
8 major nontenured policymaking or advisory position, or a
9 policymaking or advisory position the performance of the duties of
10 which ordinarily does not require more than 8 hours per week; ~~or~~

11 (f) *In a position for which the person is notified in writing*
12 *before commencing any duties that the person will be employed*
13 *for not more than 1,040 hours during a specified fiscal year; or*

14 (g) By an inmate of a custodial or penal institution.

15 2. Every department of this State, and every political
16 subdivision thereof, and each of the instrumentalities of this State
17 and its political subdivisions, shall become an employer as provided
18 in this chapter.

19 3. "Employment" does not include service performed:

20 (a) In a facility conducted for the purpose of carrying out a
21 program of rehabilitation for persons whose earning capacity is
22 impaired by age or physical or mental deficiency or injury, or
23 providing remunerative work for persons who, because of their
24 impaired physical or mental capacity, cannot be readily absorbed in
25 the competitive labor market by a person receiving such
26 rehabilitation or remunerative work; or

27 (b) As part of an unemployment work-relief or work-training
28 program assisted or financed in whole or in part by any federal
29 agency or an agency of a state or political subdivision thereof, by a
30 person receiving such work relief or work training.

31 **Sec. 2.** This act becomes effective upon passage and approval.

