

# Here's First Part of Nevada Civil Rights Law

AN ACT relating to civil rights; to amend chapter 651 of NRS, relating to public accommodations, by adding new sections defining terms, providing for equal enjoyment without discrimination based on race, color, religion or national origin, providing a penalty, providing for civil actions, authorizing local ordinances, and providing for orders and injunctions; to amend chapter 613 of NRS, relating to fraudulent and discriminatory employment practices, by adding new sections defining terms, prohibiting discriminatory practices based on race, color, religion or national origin, providing exceptions, and providing for orders and injunctions; to amend NRS section 233.060, relating to the powers and duties of the commission, by providing for findings of fact and rule making; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Chapter 651 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 8.5, inclusive, of this act.

SEC. 2. As used in sections 2 to 8, inclusive, of this act, unless the context otherwise requires, "place of public accommodation" means:

1. Any inn, hotel, motel or other establishment which provides lodging to transient guests, except an establishment located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor of such establishment as his residence;

2. Any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, casino or any facility where spirituous or malt liquors are sold, including any such facility located on the premises of any retail establishment;

3. Any gasoline station;

4. Any motion picture house, theater, concert hall, sports arena, stadium or other place of exhibition or entertainment; and

5. Any establishment physically containing or contained within any of the establishments described in subsections 1 to 4, inclusive, which holds itself out as serving patrons of such described establishment.

SEC. 3. The provisions of sections 2 to 8, inclusive, of this act do not apply to any private club or other establishment not in fact open to the public, except to the extent that the facilities of such establishment are made available to the customers or patrons of an establishment within the scope of section 2 of this act.

SEC. 4. All persons are entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of any place of public accommodation, without discrimination or segregation on the ground of race, color, religion or national origin.

SEC. 5. 1. Any person is guilty of a misdemeanor who:

(a) Withholds, denies, deprives or attempts to withhold, deny or deprive any other person of any right or privilege secured by section 4 of this act; or

(b) Intimidates, threatens, coerces or attempts to threaten, intimidate or coerce any other person for the purpose of interfering with any right or privilege secured by section 4 of this act; or

(c) Punishes or attempts to punish any other person for exercising or attempting to exercise any right or privilege secured by section 4 of this act.

2. A prosecution for violation of a local ordinance authorized by section 7 of this act shall bar any prosecution under this section.

SEC. 6. 1. Any person who:

(a) Withholds, denies, deprives or attempts to withhold, deny or deprive any other person of any right or privilege secured by section 4 of this act; or

(b) Intimidates, threatens, coerces or attempts to threaten, intimidate or coerce any other person for the purpose of interfering with any

right or privilege secured by section 4 of this act; or

(c) Punishes or attempts to punish any other person for exercising or attempting to exercise any right or privilege secured by section 4 of this act,

is liable to the person whose rights under section 4 of this act are affected for the actual damages and for the additional sum of \$250, to be recovered by a civil action in a court in and for the county in which the infringement of civil rights occurred or in which the defendant resides.

2. In an action brought under this section, the court may award costs and reasonable attorney's fees to the prevailing party.

SEC. 7. Any county or incorporated city of this state may adopt a local ordinance prohibiting infringement of the rights or privileges secured by section 4 of this act, but no such ordinance may apply to any establishment outside the scope of sections 2 and 3 of this act or impose a penalty more severe than that provided by section 5 of this act. A prosecution under section 5 of this act shall bar any prosecution under an ordinance authorized by this section.

SEC. 8. When any complaint is filed with the Nevada commission on equal rights of citizens alleging violation of the rights or privileges secured by section 4 of this act, or when the commission initiates its own investigation of any such violation, the commission may, but only after holding a public hearing:

1. Make appropriate findings of fact;

2. Serve a copy of such findings upon any person found to have committed any such violation within 20 days after any such finding of violation is made; and

3. If such person does not cease and desist from the violation so found within 20 days after service is so made, apply to the appropriate district court for an injunction against such continued violation.

In hearing and deciding on the application for an injunction, the court may consider only evidence introduced at a hearing before the commission for the purpose of determining whether the commission's findings or order were arbitrary, capricious or without foundation.

SEC. 8.5. No criminal or civil action authorized by sections 5 to 7, inclusive, of this act may be brought after the expiration of 30 days from the date of the act complained of. When a complaint is filed with the Nevada commission on equal rights of citizens pursuant to section 8 of this act, the limitation provided by this section is tolled as to any action authorized by sections 5 to 7, inclusive, of this act during the pendency of such complaint before the commission.

SEC. 9. Chapter 613 of NRS is hereby amended by adding thereto the provisions set forth as sections 10 to 21.5, inclusive, of this act.

SEC. 10. As used in sections 10 to 21, inclusive, of this act, unless the context otherwise requires:

1. "Employer" means any person who has 15 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year, but does not include:

(a) The United States or any corporation wholly owned by the United States.

(b) Any Indian tribe.

(c) Any private membership club exempt from taxation under section 501(c) of the Internal Revenue Code of 1954.

2. "Employment agency" means any person regularly undertaking with or without compensation to procure employees for an employer or to procure for employees opportunities to work for an employer, but does not include any agency of the United States.

3. "Labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment or other conditions of employment.

4. "Person" includes a corporation, association, company, firm, labor organization, partnership, legal representative, mutual company, joint-stock company, trust, unincorporated organization, trustee, trustee in bankruptcy, receiver, the State of Nevada or any of its political subdivisions, as well as a natural person.

SEC. 11. Sections 10 to 21, inclusive, of this act do not apply to:

1. Any employer with respect to employment outside this state.

2. Any religious corporation, association or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on of its religious activities.

(To be Concluded Next Week)

## NATIONAL HOBBY MONTH

(SPORTS, from page 9)

ALTHOUGH THE JAPANESE naturally dominate the sport, and guard the Black Belt rating system with rigid requirements, Tierney said Judo is "catching on" fast in many other parts of the world. He pointed out that a Hollander won top honors in the 1960 Olympics and that an American won a bronze medal in one of the lesser classes.

Tierney chuckled when he recalled that after the Hollander, a 6-foot-6 giant, took the main international championship at Tokyo last year, one American sports columnist suggested that it only proved "a good, big man will always beat a good, little man" despite the "claim" that relative size was not an important factor in judo.

"It so happens that the Japanese representative who lost to the Hollander in the finals weighed 245 pounds," he revealed. "It is true, however, that a slightly built but accomplished judo artist, even a member of the feminine sex, can disable a much larger and more physically powerful person who is unfamiliar with judo techniques."

He offered to prove his point by having us work out with one of his 120-pounders at Jefferson Center some Tuesday evening. We hastened to assure him that we were only too willing to accept his word for it.

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