

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON COMMERCE AND LABOR**

**Eighty-Third Session
February 12, 2025**

The Committee on Commerce and Labor was called to order by Chair Elaine H. Marzola at 1:34 p.m. on Wednesday, February 12, 2025, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 3 of the Nevada Legislature Hearing Rooms, 7120 Amigo Street, Las Vegas, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/83rd2025.

COMMITTEE MEMBERS PRESENT:

Assemblymember Elaine H. Marzola, Chair
Assemblymember Sandra Jauregui, Vice Chair
Assemblymember Natha C. Anderson
Assemblymember Max E. Carter II
Assemblymember Lisa K. Cole
Assemblymember Melissa R. Hardy
Assemblymember Brittney M. Miller
Assemblymember Daniele Monroe-Moreno
Assemblymember PK O'Neill
Assemblymember Erica P. Roth
Assemblymember Selena Torres-Fossett
Assemblymember Steve Yeager
Assemblymember Toby Yurek

COMMITTEE MEMBERS ABSENT:

Assemblymember Heidi Kasama (excused)

GUEST LEGISLATORS PRESENT:

Assemblymember Venicia Considine, Assembly District No. 18
Assemblymember Tracy Brown-May, Assembly District No. 42

STAFF MEMBERS PRESENT:

Marjorie Thomas, Committee Policy Analyst
Sam Quast, Committee Counsel

Minutes ID: 183



Daniel Peinado, Committee Counsel
Logan B. Service, Committee Manager
Julie Axelson, Committee Secretary
Denise Dimarzo, Committee Secretary
George Whalen, Committee Assistant

OTHERS PRESENT:

Tick Segerblom, Chairman, Board of County Commissioners, Clark County
Joanna Jacob, Government Affairs Manager, Department of Administrative Services,
Clark County
Jonathan Norman, Statewide Advocacy, Outreach and Policy Director, Nevada
Coalition of Legal Service Providers
Nicole Rourke, Director, Government Affairs, City of Henderson
Vinson Guthreau, Executive Director, Nevada Association of Counties
John Sande IV, representing Nevada State Apartment Association
Paul Klein, representing Nevada Dental Association
Aimee Abittan, Vice President, Nevada Dental Association
Helen Foley, representing Delta Dental
Wendy Hammond, Private Citizen, Reno, Nevada
Elliot Malin, representing Lizzy Hammond Foundation
Justin G. Randall, representing Nevada Justice Association
Catherine Nielsen, Private Citizen, Carson City, Nevada
Robert Quirk, Owner and President, Lincoln Heating & Air, Sparks, Nevada
Roger Linscott, Private Citizen, Reno, Nevada
Roxanne Riley, Private Citizen, Reno, Nevada
Kim McNamara, Private Citizen, Reno, Nevada
Jon Shafer, Private Citizen, Minden, Nevada
Sherii Paparich-Hess, Private Citizen, Carson City, Nevada
Kenneth Quirk, General Manager, Lincoln Heating & Air, Sparks, Nevada
Colleen Andres, Private Citizen, Sparks, Nevada
Hayley Hayden, Private Citizen, Reno, Nevada
Felicia Hill, Private Citizen, Reno, Nevada
Linda Miller, Private Citizen, Washoe Valley, Nevada
C'era Norris, Private Citizen, Las Vegas, Nevada
Dora Martinez, Private Citizen, Reno, Nevada
Mitch Hammond, Private Citizen, Reno, Nevada

Chair Marzola:

[Roll was called and Committee rules and protocols reviewed.] Today we will hear three bills, Assembly Bill 198, Assembly Bill 202, and Assembly Bill 211. I will not be taking those in order. We will move to our first agenda item, Assembly Bill 211. This measure revises provisions relating to substandard properties. Assemblymember Considine, welcome, and you can begin when you are ready.

Assembly Bill 211: Revises provisions relating to substandard properties. (BDR 20-811)

Assemblymember Venicia Considine, Assembly District No. 18:

I am here today to present Assembly Bill 211. With me in Las Vegas is Clark County Commissioner Tick Segerblom, and here in Carson City we have Government Affairs Manager for Clark County, Joanna Jacob. Assembly Bill 211 provides a solution to the extreme situation when a property is significantly substandard and all attempts to bring the property to standard are rebuffed, ignored, or the situation is where the owner is unable to bring the property up to code on their own. These are situations where seniors are crawling up the stairs or trapped in their unit because an elevator has been inoperable for months, or when the owners have determined that paying a fine is more acceptable than the option of fixing the property. Under law, landlords are required to maintain a dwelling in habitable condition, and the law delineates violations concerning the health, safety, sanitation, or fitness for habitation. Assembly Bill 211 gives authorization to bring an action to require the property to be brought up to standard including to appoint a receiver. This is when the condition of a property is of such a nature that the health and safety of residents or the public are substantially endangered. This is not an instant fix. This does not start with a notice to do a receivership.

The bill has two parts, which are essentially the same. Sections 2 through 18 are county specific and sections 21 through 37 are city specific, but the provisions are the same. I would like to go through the bill. We do have a conceptual amendment [[Exhibit C](#)] that you should have a copy of, but I will submit it to the Nevada Electronic Legislative Information System after the hearing. Sections 8 and 27 describe the process where an appropriate department finds that a property violates standards to such an extent that the health and safety of residents or the public is substantially endangered. There may already be a pattern of communications between the enforcement agency and the owners, but this section explains the notice process and requirement of the notice in the posting. In this section, we have met with stakeholders who have requested we remove section 8, subsection 2, paragraph (b), subparagraph (2) and the corresponding section 27, subsection 2, paragraph (b), subparagraph (2) that require the standard mailing and posting in practice. We have included the change to removing that to use the standard mailing and posting in practice as requested by some of the stakeholders we met with.

Sections 9 and 28 only occur when the owner of the property fails to comply with the notice, abate the condition, or work out a plan with the department. This section provides the ability to bring an action in District Court to declare the property substandard. I want to be clear this is after the enforcement agency or code enforcement has gone out multiple times and has reached out to folks. This is already after months of trying to work to fix the property. This is the notice part where the property owner fails to comply with the notice, abate the condition, or work out a plan with the department. They have all of those options.

This section provides the ability to bring an action in District Court to declare the property substandard. It is the District Court that must determine if the property is substandard. If the District Court finds a property is substandard, only then can the Court appoint a receiver. After speaking with stakeholders, we are revising a couple of these sections. Right now, section 9, subsection 2, paragraph (a) and the corresponding section 28, subsection 2, paragraph (a) provide a three-day notice. We have been requested to change that to a 30-day notice instead of a three-day notice; we are fine with that. This was requested to ensure some owners or landlords would receive the notice; for example, if the notice would go to a resident agent or if the owner is out of state or out of country. This change is in line with *Nevada Revised Statutes* (NRS) 244.3605. We are also revising section 9, subsection 4 and the corresponding section 28, subsection 4 to say it is the District Court's discretion to award attorney's fees and costs. These are in the conceptual amendment [[Exhibit C](#)].

Moving on, sections 10 and 29 list the findings that are needed to be made by the District Court before it can declare the property substandard. It also lists the consideration to appoint a receiver and, where appropriate, the appointing of a receiver. Sections 11 and 30 describe the next steps the District Court would take, including reasonable and actual cost to the county or city; order that the notice be given to each tenant; and in cases where the repair, rehabilitation, or abatement affects the safe and sanitary use of the property, order the owner to pay relocation costs if the tenants cannot remain in the property while it is being fixed. These sections also require the owner to offer the first right of occupancy to tenants who are removed once the property is fixed.

Sections 12, 13, 14, and the corresponding 31, 32, and 33 go over the receivership abilities and responsibilities. Sections 15, 16, 34, and 35 cover discharging the receiver. Sections 17, 18, and the corresponding 36 and 37 include language to ensure the previous sections do not limit the rights available under any other provision of law and are not intended to deprive any owner of a residential property or substandard property any right guaranteed by the *United States Constitution* or the *Nevada Constitution*. There are more than 20 states that already have laws for this process on the books. We have met with some of the stakeholders resulting in the conceptual amendment [[Exhibit C](#)] and will continue to do so.

I know that was fast to go through a bill that is kind of long, but I wanted to give an overview of the different sections, so I had a moment to talk about how this is not an instant fix and is not an instant process. This is only used, or would be used, in extreme circumstances when every other attempt to abate, fix, or work with the property owner has been exhausted. There are a couple of examples of this that we will go over. Before I turn to questions, I would like to turn it over to Commissioner Tick Segerblom in Las Vegas.

Tick Segerblom, Chairman, Board of County Commissioners, Clark County:

I am so proud to work with Assemblymember Considine on this bill. Let me give you a brief example of what we are dealing with. There is a large apartment complex with about 200 tenants. The facility becomes intolerable for some of the people. We reach out to the landlord and say, Can you fix these units; fix this pool or whatever? The out-of-state landlord basically stiffs us and ignores us. After months of trying to work with them, they say, Close

us down. I have 200 tenants who are low-income tenants. I do not have a place to take 200 people and put them in another unit. If I had that, this would not be necessary, but I have 200 people who are in a building that can be fixed, but the landlord refuses to fix it and refuses to do anything. The landlord basically says, Shut us down; we do not care. This is the situation we are dealing with. Because there is no other alternative, the solution would obviously be for us to step in, manage the property ourselves, fix it up, and keep those 200 people in their units as opposed to putting them on the street. We do not have that ability. We went to court; we are working with the court and with the judge, but the judge cannot micromanage a process like this. This is a very extreme example. In this particular unit I am talking about, two people were shot to death. There were drugs being dealt there. It was terrible. The landlord basically said, Put us out of business; We are not going to do anything. That is unacceptable in my opinion. We do not have the ability to take those 200 people and put them anywhere. This bill gives us the tool. It is the final resort. Hopefully, it will be a lever we would never have to use. At the end of the day, we do not want to put 200 people on the street. We do not want to shut this property down.

Assemblymember Considine:

I want to reinforce that this bill is an extreme response to an extreme situation. It allows jurisdictions to ensure the health and safety of their communities. It keeps property values from decreasing and sets out a clear path to resolve substandard property issues at several stages prior to going to the District Court. This bill is about bad actors and those who cannot afford to fix their properties. That is it. At this point, we would be happy to take questions.

Assemblymember Yeager:

This is the kind of bill that, frankly, I am horrified we have to deal with. If people would be good to one another and realize we all have dignity. The story that was just told of people living in these places is quite frankly horrifying. I am not going to try to amend your bill, but honestly, I think it should be criminal in some sense. If someone is aware of the problem and unwilling to fix it, that is unacceptable. I applaud you for trying to solve this problem.

I guess my question has to do with, and Commissioner Segerblom explained it a little bit, the issue of when you have that many people, you cannot just move them somewhere for the property to be fixed. He gave a good example, which I am imagining is probably a very egregious one. I wonder if you could speak to, at least in Clark County, how prevalent this problem is. As we are talking about housing this session, we are always talking about those who cannot stay in their homes or their apartments. I think this is a segment we rarely think about: the people who are forced to live in substandard housing, which is obviously an affront to their dignity. Could you give us a sense of the magnitude of the problem we are looking at?

**Joanna Jacob, Government Affairs Manager, Department of Administrative Services,
Clark County:**

I know Commissioner Segerblom can speak to this. I know it has impacted multiple properties in his district. He has done a lot of work. I am a county employee, so when I am not here before you in the Legislature, I work in the county building with the Board. I often

say this kind of code work the Commissioners do is the bread and butter of what they do. Their staff gets contacted, and often we are contacted because there is no place to contact for this type of thing. I spoke to another Commissioner's office this morning who is currently dealing with a 400-unit facility. The health district has been out multiple times. I do not want to be disgusting, but they found a pool that had been improperly covered. Feral cats got underneath, and they found hundreds of dead cats that were in the pool. There have been homicides at that property. It comes to us frequently through calls to service to Las Vegas Metropolitan Police Department (Metro). We are trying to engage and figure out how to improve the conditions for the tenants. That is one Commissioner's example, but it is impacting multiple commissioners.

Chairman Segerblom can probably speak to this. We have been working on this for a number of years trying to figure out if there was a legal remedy where we could get in there faster. Assemblymember Yeager, you mentioned the attention that comes with housing availability and the conditions we have in Clark County. It is a significant concern when we have buildings of that size where we might have to relocate tenants. It is a challenge for us. We do think our code enforcement officers do try to work with landlords. You may hear that sometimes it is a challenge. As Assemblymember Considine said, after months of work where we may try and address it, sometimes we are able to work with the landlords, and code enforcement will work with them on a plan. This is only where we cannot get participation. It happens frequently. I am happy to give you more examples. If any Committee member wants more examples, I am happy to do that. I do want to emphasize this is not just in Commissioner Segerblom's district but in multiple districts, which is why we wanted to work on this bill in this legislative session.

Assemblymember Cole:

I have questions on several different areas, but I will just stick to the one. It is in section 10. There is also obviously one on the city side. I think my concern would be to make sure this does not sweep too broadly. With the record you are discussing where whatever agency code enforcement has been out in multiple communications, make sure that is part of the record the District Court is considering and to make sure it is not a one-off kind of thing. I know that is not your intent here.

I also have one question on the code violations. Are we talking about code violations of today's code or violations of code when the building was built? I know those can change; for instance, fire sprinklers in houses that are over 3,000 square feet are required now, but they were not 20 to 30 years ago. I would like to see a definition of what "substantially endangered" means. I did not see that. I might have missed it. I am a little concerned about how broad the discretion is in section 10, subsection 1, paragraph (c). It seems like any other factor that the judge considers, and that might be too broad for me. I can give you written comments later on some of the other things too.

Assemblymember Considine:

I want to clarify under section 10, subsection 2, paragraph (a), the court is required to consider "Whether the owner of the substandard property has been afforded a reasonable opportunity to repair or rehabilitate the property or otherwise abate the condition." I think the inference in that is that there would be a history of what was happening to the property prior.

Assemblymember Cole:

Maybe that takes care of that part then.

Joanna Jacob:

We have looked at other states that have this. We mentioned 20 other states have it. In other states procedurally how this works is if an action were filed in the District Court, it is accompanied with an affidavit with the narrative of the case history. That is frequently considered and then served on the other side. All of the record, as you mentioned, is part of the consideration of the Court. We know that, and that is how it works in several of the other states where this process is in place.

Assemblymember Torres-Fossett:

Thank you so much for bringing this piece of legislation to address this issue. I was looking specifically at where—I think it is page 5, section 10 of the bill—you speak about the nonprofit organizations. What type of nonprofit organizations would gain receivership for this type of home?

Assemblymember Considine:

The receiver or the District Court would have to determine whether or not any entity or person who would have that responsibility is able to do it. In other states, they do offer the ability for a nonprofit to do it, but those are typically nonprofits that are building houses or rehabilitating houses. It would not just be any nonprofit.

Assemblymember Anderson:

Thank you for bringing forward this language. As I look through the bill and through some other items, there are some different days that seem to be standing out to me. For example, on page 7, it says 120 days. Another time, it says eight weeks. I am wondering why some of those dates and why the decision was made to use 120 days for other things? Is that simply consistent with other language in other areas of the statute?

Joanna Jacob:

The 120 days you are referencing is tied to the U.S. Department of Housing and Urban Development rate on the cost of the relocation compensation. I believe that may have come from when we were looking at other states. I can definitely come back and say if there was a particular reason why that was. We modeled this after some of the other statutes that were in there. I would have to go back and give you a written response to that question.

Assemblymember Anderson:

I was wondering why it was that way because if I am understanding when you were speaking about the information on page 4, this was after months of attempting to rectify the situations. Do we have any sort of idea of how many days that might have been in the past with these attempts to clean it up, or is that something that might need a little more background research?

Joanna Jacob:

Chairman Segerblom, do you want to talk about how many months it took you on the particular apartment that you worked on? I do know it can depend on the circumstance, but it was a very long period of time.

Tick Segerblom:

I want to say it has been three years, and we are still in court. There are just a handful of tenants left so they have almost accomplished their objective. It is still an ongoing problem. You drive by there and think, Oh my God, how could that be? Again, if the landlord does not want to work with it, we need some kind of a lever and that is why we think this is the way to go.

Joanna Jacob:

On the property I described when I talked about the other Commissioner, it has been going on for almost a year. They have gone out multiple times with the Southern Nevada Health District and Metro. This is not something where we are doing one notice at the property and then all of a sudden we are rushing to the Court. My director is not here, but we have worked with him extensively. The intent is always to work with the landlord and to make sure we can maintain the home and fix it so the tenants can remain there. In the section you asked me about on the relocation assistance, this is really where we now have to find housing. That is one thing where you might have to relocate the tenants while it is being abated if it is extremely serious. It varies, but typically there is an attempt to try to go out to the property over multiple months with multiple agencies to try and address the issues.

Assemblymember O'Neill:

I am not an attorney as you well know. I do not want to be one either. How much legal or court review can I do to delay if I am the property owner of this building? I want to keep delaying it to go to another court. I assume it starts out in District Court, correct? I would have to go to the state appeals, which can take years to get a hearing date. That is what I am looking at.

Assemblymember Considine:

I think when you are comparing that process to the process they are going on now, I believe the Commissioner mentioned for three years and a year, I tend to think a lot of these situations happen because there is no ability to do it or there is no desire to do it. If you have to go to District Court, you are now paying attorney and filing fees. If the cost to fix your investment is worth that cost, I would imagine spending additional funding to go to appeals, unless they are fully necessary, might elongate the situation but does not resolve it in the long

term. Like I said, these are for bad actors. These are not for folks who believe that the situation is not what is being presented. That should be taken care of well before it gets to the District Court. At the District Court level, if they can prove their properties are not substandard, it is not a health emergency, it is not a safety issue, then it does not go any further than the District Court to begin with.

Assemblymember O'Neill:

I appreciate your explaining that to me. I know there are some people who, for principle, will try to stretch a bad situation out just because. That is what I wanted to hear and you answered that.

Assemblymember Yurek:

I want to clarify the intent. I think I get it here. I am specifically looking at section 10 when we talk about what it takes to declare a property as substandard. It is specifically referring to physical conditions, habitability standards, housing codes, and building codes that deal with building safety and fire safety. I want to confirm. Based on the Commissioner's example, is there an intent to also apply this to, for example, properties where there are high crime rates that might affect public safety? Would these landlords be responsible or held to this same standard for those sorts of incidents?

Joanna Jacob:

If I understand the question correctly—and I want to make sure I am addressing it—our intent is to address health and safety issues and the violations of the code words dangerous for the health and safety; wires hanging from the ceiling; the health violations I referenced before; and some of the really egregious things we have seen in there are sometimes coupled with high crime rate. This also may be because of the condition of the property that there may also be crime there. This is for when there is a health and safety violation and a building code violation. That is the intent of why we are trying to bring this. It is when it is egregious, the tenants are there, and we cannot get it fixed. I think I want to say no to your question, but I want to make sure I make this for the record that sometimes the same conditions we are trying to address is combined, and Metro is frequently involved in these cases because of the condition of the property.

Tick Segerblom:

The truth is the police do come to these places. If they are called out every day, and there is a murder there and they say to the landlord, We need you to fix this; you need to have some type of security, and the landlord refuses to do that, in my opinion that should be another instance where we have to do something. The option is either shut it down because it is a danger to the tenants or figure out some way to allow the tenants to stay there in a safe way. If the landlord will not step up and make sure they are safe, we do not want to put 200, 400, or 600 people on the street for something that can be fixed. This is my intention.

Assemblymember Yurek:

I appreciate the effort to answer that. I think we are probably headed down the same path. I am thinking, for example, of a landlord who has brought in a tenant whom they are having trouble evicting for various reasons. Let us say they are dealing drugs. We keep calling Metro to come in and deal with this situation, but it is creating a public safety situation. I do not know if cameras, to use the Commissioner's example, would be something that would be required by code. If the landlord does not comply or put up cameras, are they then subjected to this because of Metro's inability to respond and deal with it in a timely manner—that criminal instance—and it is creating a public safety issue, would they be subject to the same provision?

Assemblymember Considine:

I think there are existing eviction laws and processes the landlord could use in that situation. This is not meant to usurp or go around the landlord's ability to use the existing law that is there to solve those problems. If it got to such an extreme intent that the landlord was not trying, and it became an extreme health and safety hazard, I believe this might be sort of an end option.

Assemblymember Monroe-Moreno:

Are you finding that you are running into these issues with corporate landlords primarily or are there individual landlords who may have one or two properties they are managing and not taking care of? Which ones are you seeing more of in your jurisdiction?

Joanna Jacob:

Commissioner Segerblom, do you want to try and address that issue? I will say I do not have a good sense of whether it is one particular type or not. These are large apartment units. I think I have heard, and Commissioner Segerblom can correct me if I am wrong, the issue is where we have nonresponsive landlords. If someone is out of state, and we try to work with the registered agent on their behalf, but the registered agent says, Hey, I am there to file the articles of incorporation; they are not going to come in and fix the apartment building. Commissioner, do you have anything to add there?

Tick Segerblom:

Yes. My personal experience has been out-of-state landlords. They are corporations, but they are not large corporations that have multiple units around the valley. They bought something for some purpose, and they let it go down. When we try to correct it, they basically say, We do not care. It is not the big landlords you would read about in the paper. They are responsive.

Assemblymember Monroe-Moreno:

That answered my second question I was going to ask.

Assemblymember Hardy:

I do not think any of us want people living in unsafe and unhealthy housing by any means. I have a question on page 7, line 34. This references if a tenant has been substantially

responsible for causing damage or some of the conditions. What about instances where maybe a landlord has not been notified, or they have tried to get things repaired or addressed and they are not allowed to do so? Can you touch on how that would be handled differently if you do find in your investigation that the landlord has tried and maybe the tenant was not cooperative or such?

Assemblymember Considine:

I think it is a two-part question, and the first part is if the tenant is substantially responsible for the damage, the tenant, as it says in here, would not be able to access any relocation. There would be no options for the tenant. If the tenant is causing problems and the landlord is unable to take care of that, I think that goes to the existing legal process for eviction, or they could file a civil case against the tenant to move the tenant, if the landlord is having a problem having the tenant move out. On that lower level, one on one, that is not what this bill is meant to do. It is meant for larger systemic health and safety issues to tenants who are not causing the problem.

Assemblymember Jauregui:

I apologize if you already went through this, but I walked in late. I walked in as you were going over the amendments [[Exhibit C](#)]. I have a quick question and concern over the removal of section 8, subsection 2, paragraph (b), subparagraph (2) and section 27, subsection 2, paragraph (b), subparagraph (2) when it comes to the mandating of notices to the tenants who are living in these properties. I noticed we left the mailed-in portion of the notices in both sections 8 and 27 where you are required to mail the notices to each individual resident, but then you removed the posting of the notice on each individual residence. I am curious as to why you submitted the amendment [[Exhibit C](#)]. You may have already explained it. I know from working on homeowners' association notices that we have always required them to post in both because people do not check their mail regularly. I know because I am one of those people who often has to go to the post office to pick up my mail because it accumulates. When it comes to issues like notifying tenants they may be eligible for benefits of relocation or repairs, why limit it to only mail and remove the notice being posted on the dwelling?

Assemblymember Considine:

This was a request by a couple of the stakeholders we met with. We are removing that, but the default for that will be requiring notice and posting, which is the standard practice anyway. I think when this was drafted, it veered from the standard practice, and we want to go back and make it the standard practice. There would be all of that, but the stakeholders had an issue with just that piece, so we are going to remove that and put in standard language.

Assemblymember Jauregui:

It is my understanding then that there will still be notices posted.

Assemblymember Considine:

[Assemblymember Considine responded in the affirmative.]

Chair Marzola:

Are there any additional questions? [There were none.] We will move to testimony in support of A.B. 211. Is there anyone wishing to testify in support?

Jonathan Norman, Statewide Advocacy, Outreach and Policy Director, Nevada Coalition of Legal Service Providers:

I think the important part of this bill is that this is not even for bad landlords. This is for so much further than that. This is egregious landlords who are extracting wealth from our community without investing into their property. It puts the county and local governments in a place where they could have to rehouse 200 or 400 families. For an out-of-state, unresponsive landlord to expect they can come to Nevada, not put any resources in, and extract money is not fair. I would encourage support because I think this is an important tool for those governments to make sure our ecosystem functions and we do not have these egregious cases.

Nicole Rourke, Director, Government Affairs, City of Henderson:

First, I would like to thank Assemblymember Considine for including cities in the bill. We made that request because we are seeing a small portion of what the county is seeing.

[Read from written testimony [Exhibit D](#).] We are here in support of A.B. 211, which strengthens the existing state habitability requirements, including those under NRS 118A.290, and is fully consistent with the detailed standards set forth in Henderson Municipal Code 15.12.

The bill revises existing law to empower counties and cities to require property owners to repair, rehabilitate, or abate conditions that render a residential property substandard, which reinforces obligations already set out in housing, health, and building codes, and provides another tool to local governments to ensure the safety and well-being of our residents. It also allows for more parties to sue over substandard conditions, which permits not only local government bodies but also tenants, tenant associations, or nonprofit organizations representing tenants to initiate legal actions, and sometimes private actions can be more effective than government actions in these circumstances.

This alignment ensures that residential properties in Henderson meet uniform high-quality criteria for safety, sanitation, and overall habitability. The bill enables more decisive action against properties that fail to maintain safe and habitable conditions.

By mandating prompt remediation of conditions that endanger public health and safety, this legislation prioritizes the well-being of our residents and helps complement the city's current ordinances of this topic. By addressing violations before they escalate into serious hazards, the bill contributes to safer neighborhoods across Henderson. For these reasons, we support A.B. 211.

Vinson Guthreau, Executive Director, Nevada Association of Counties:

We are the statewide organization that represents all 17 Nevada counties. For all the reasons stated, and it gives another toolbox to the government to deal with the safety and health of its residents, we support this measure and thank the sponsor for bringing it forward.

[A letter in support, [Exhibit E](#), was submitted but not discussed and will become part of the record.]

Chair Marzola:

Is there anyone else wishing to testify in support? [There was no one.] We will move to testimony in opposition to A.B. 211. Is there anyone wishing to testify in opposition?

John Sande IV, representing Nevada State Apartment Association:

I appreciate the opportunity to provide some comments on A.B. 211. The dialogue that has been going on has been good with some good questions that illustrate some of our concerns about the way the bill is drafted as of right now. We want to ensure that landlords have clear due process protections and reasonable opportunity to correct these violations. I think that is also the bill sponsor's objective based on the testimony we heard. We feel it is important for cities and communities to explicitly enumerate the process the landlords will be subject to prior to notice and this bill being implemented so there is no confusion as to what the procedure would be for a landlord, especially if a landlord were to disagree with the city code's assessment of the property, and to make sure there are some ways and mediations that could be worked out before this goes to the drastic remedy of a District Court case and also potentially a receiver being appointed over the property. The receiver will have a drastic ability to encumber the property, and most likely when the receivership was terminated, there would not be much left for a landlord, especially if those due process procedures were not in place.

We recognize the intent behind the bill, and we are committed to working with the bill sponsor and this Committee to address our concerns through reasonable amendments. We believe with targeted clarifications and safeguards, A.B. 211 can achieve the goals without creating undue hardships for responsible landlords. Thank you for your time, and we look forward to working collaboratively on a balanced solution.

Chair Marzola:

Is there anyone else wishing to testify in opposition? [There was no one.] We will move to neutral testimony. Is there anyone wishing to testify in the neutral position? [There was no one.] Assemblymember Considine, would you like to give any final remarks?

Assemblymember Considine:

This is my first bill this session presenting. I appreciate that I am in front of the Commerce and Labor Committee doing it. When looking at this bill, I was impressed with the amount of due process in this. A property is a constitutional right. There has to be due process for this. This process would only kick in under extreme circumstances, and even in those extreme circumstances, there is the District Court. There are all the steps to go through before that to

ensure a property is rehabilitated properly; the owner has every ability and opportunity to create a better environment to meet those codes. If it does have to go through a receivership, in the bill there are requirements for the receivership to give monthly reporting and everything along those lines, with the idea for that property to be in good position to go back to the owner when possible. I really appreciate your time.

Chair Marzola:

I will now close the hearing on A.B. 211. Thank you, Commissioner, for taking the time to be with us today. We are going to recess for one minute.

[The Committee recessed at 2:20 p.m. and reconvened at 2:20 p.m.]

I will now open the hearing on Assembly Bill 202. This measure revises provisions relating to claims for dental care. Assemblymember Brown-May, you may begin when you are ready.

Assembly Bill 202: Revises provisions relating to claims for dental care. (BDR 57-573)

Assemblymember Tracy Brown-May, Assembly District No. 42:

We are so excited to be here with you today. This is also my first bill presentation this session, and I am so very honored to be in front of this distinguished Committee on Commerce and Labor. We are very grateful for this opportunity to be before you. We are here to talk about Assembly Bill 202, which revises provisions relating to dental care claims. A little bit of background; oral health is integral to our overall health. Access to dental services is essential for promoting and maintaining good oral health for all of our Nevadans. I have personally spent a significant amount of time over my lifetime getting to know my personal hygienist, my dentist, my periodontist, my prosthodontist, and my oral surgeon. I hope you have all spent a little bit of time getting to know your oral professionals as well. This is not new. Oral health has become a mainstream part of how our health care system works, and bad oral hygiene contributes to heart disease and other life-threatening diseases. It is important we have access to good oral health.

The Office for Consumer Health Assistance (OCHA), Department of Health and Human Services, was established by this legislative body back in 1999. This Office helps Nevadans to understand their rights and benefits in their health care plans. Back in 2023, the Legislature added an external review process for patients to use in the event of a denied claim for service or procedure. While Nevada residents can currently seek a review for a denied medical claim, dental is specifically excluded from this provision. Dental patients currently have no recourse or access to an independent review following the denial of a dental claim. This bill proposes to rectify that issue.

I am pleased to be here today with Paul Klein who is a principal with Tri-Strategies and a representative for the Nevada Dental Association who originally brought this issue to my attention. Mr. Klein is here to walk us through the bill summary and will answer technical questions the Committee may have.

Paul Klein, representing Nevada Dental Association:

Thank you, Chair Marzola and Assemblymembers for having us be here and thank you to Assemblymember Brown-May for sponsoring this much-needed bill. We have had a lot of meetings with you all over the years on trying to ensure access to care for dental patients in Nevada. In brief, what we are trying to do is change *Nevada Revised Statutes* (NRS) 695G.241 on external review for adverse determination.

Here is the bill in brief [page 5, [Exhibit F](#)]. Section 1 includes dentists in the definition of "clinical peer." In section 2, managed care organizations are not obligated to approve coverage if the decision to deny coverage has already been made by that doctor of dentistry. Section 3 is the most important. This is the intent of the bill, ultimately. It expands the rules for managing complaints and external reviews to include insurance policies that cover dental services. Sections 4 and 5 allow dentists to provide written certifications and requests [page 6]. Essentially, it allows them to help the patient plead their case for this external review. Sections 6 and 7 allow the independent review organization, the folks doing this external review, to communicate with that doctor of dentistry and notify them of the outcome.

Section 8 equates the role of a covered person's treating dentist to that of a treating physician [page 7]. Essentially, this is already in place, like Assemblymember Brown-May said, for medical health insurance, so that case needed an extra look. This is essentially equating doctors of dentistry and dentists with that process. Section 9 ensures that in external reviews, the documentary evidence considered includes recommendations from the insured's dentist similar to that of a physician.

In brief, this is how the process works [page 8]. After you are denied coverage and it is that final denial, the patient or the provider could use OCHA to apply for an external review. At that point, an external reviewer will review the case. This is somebody who is nonbiased. This is not somebody who is on behalf of the insurance, dentist, or the prescribing dentist themselves. They will look at the case and at the medical necessity of this case to ensure the best treatment for the patient being served.

Lastly it adds dental services to the state's already external review process program ensuring that medical necessity treatments are covered by insurance, putting patients before profits [page 9]. Are there any questions?

Assemblymember Brown-May:

We are happy to stand for questions.

Chair Marzola:

Thank you for being here today for your first presentation this session. Committee members, are there any questions? [There were none.] We will move to testimony in support of A.B. 202. Is there anyone wishing to testify in support? [There was no one.] We will move to testimony in opposition. Is there anyone wishing to testify in opposition to A.B. 202?

Aimee Abittan, Vice President, Nevada Dental Association:

I am a general dentist in Reno. I apologize to the Committee. I tried to raise my hand in support of this. Is it okay to make a comment?

Chair Marzola:

It is. We will move back to support. You may continue.

Aimee Abittan:

I am the vice president of the Nevada Dental Association, and I would like to speak in favor of this bill, which ultimately is going to serve our patients. So many of our patients are affected by denials to their treatment. The biggest issue is by the time these denials come around, we have already treated the patient, the claims have been sent off, and insurance will come around and deny it for an arbitrary reason. We will come back, provide documentation for why we did what we did, and they may approve it, but they may also deny it again. It sets us up for a long battle.

If the ultimate decision is denial, that lands squarely on the patients who have a right to coverage for their medical care from their insurers. This can be really challenging. When we see a patient for treatment, something is broken. We are fixing a problem; we are fixing something [someone] that is likely in pain or likely to get worse, and we need to treat it before it gets worse. We do not want them to get sicker before we fix them. Having these denials come around months after we have already rendered treatment makes it very challenging for us to sit down and say, We would like to justify as much as humanly possible, but we ultimately do not want this to land on the shoulders of our patients who depend on their insurance to serve them.

I would like to thank the Committee for their consideration and Assemblymember Brown-May for taking this up for us.

Chair Marzola:

We will move back to opposition testimony. Is there anyone wishing to testify in opposition? [There was no one.] We will move to neutral testimony. Is there anyone wishing to testify in the neutral position?

Helen Foley, representing Delta Dental:

Delta Dental serves about 275,000 individuals. Medical insurance is very different from dental insurance. When you talk about a decision here that people do not agree with, when you are talking about a physician, it might be tens of thousands of dollars, which is very dramatic. When you are talking about a dental situation, most of them are in the hundreds of dollars. We have reached out to our grievance and appeals departments and are awaiting some more information from them. It seems to me there are some things we can do, but it should not be as onerous as this bill including dentists in every single application that has included the physician. With that, I would appreciate being able to come back to you in the next few days with some more information.

Chair Marzola:

Is there anyone else wishing to testify in neutral? [There was no one.] Assemblymember Brown-May, would you like to give any final remarks?

Assemblymember Brown-May:

Thank you so much for this opportunity to present this bill as we start this session. We appreciate your time and attention.

Chair Marzola:

Thank you for being with us today. I will now close the hearing on A.B. 202. I will now open the hearing on Assembly Bill 198. This measure revises provisions relating to certain inflatable devices. We once again have Assemblymember Brown-May with us. When everyone is ready, please begin.

**Assembly Bill 198: Establishes provisions relating to certain inflatable devices.
(BDR 52-49)**

Assemblymember Tracy Brown-May, Assembly District No. 42:

We are excited to be before you today. I have with me Mitch and Wendy Hammond, who are here to tell their story as we progress through this bill presentation, and Elliot Malin, founder and president of Alpine Strategies. Together, we will present this issue about inflatable devices. Assembly Bill 198 is here for your consideration. This bill sets forth requirements and restrictions concerning inflatable devices, which include constant air inflatable bounce houses, inflatable waterslides, and similar devices. Many of us are familiar with these devices as we have seen them at many backyard family events and activities, picnics, church picnics, and social events.

As background, inflatable bounce houses and inflatable water slides are also known as inflatable devices. As I have just stated, they are fixtures at outdoor events. My church community often hosts events with outdoor activities and bounce houses as part of our community events. They are available for purchase in the public. Hundreds of companies in the United States provide commercial rental options with daily rental costs in the United States as low as \$100. Bounce houses are an affordable activity for many families, and it is a great way to organize entertainment for large numbers of children who jump up and down inside of a bounce house. That is what we are talking about.

While they are a source of fun and a general feature at these wonderful events, they also pose some known safety hazards and cause many injuries. Many people are not aware of that. I have stood posted on one of my own bounce houses at a church picnic to make sure kids did not get trampled. It is a thing that happens. The U.S. Consumer Product Safety Commission [[Exhibit G](#)] found there were an estimated 113,272 emergency department-treated injuries associated with inflatable amusements from 2003 to 2013, so over a 10-year span. Ninety percent of those were due to bounce houses. That is a lot of injuries for our kids.

A much smaller subset of injuries occurs with weather as a contributing factor. These devices are safety hazards when dragged, blown, or lofted by winds as we have all experienced here locally in the recent weeks. A recent study [\[Exhibit H\]](#) by the University of Texas at El Paso noted that there were 132 documented cases of wind-related bounce house incidents from January 2000 through December 2021. The 132 incidents caused at least 479 injuries and, in addition, 28 fatalities. Twenty-eight kids lost their lives. In the last year alone, we have three reported deaths from bounce houses. That is kids dying in bounce houses. They are supposed to be fun. Due to the nature of the construction of a bounce house and their high-aspect ratios, they can be tipped over, rolled along the ground, or even lofted into the air by strong winds or gusts, even when occupied. Children could be injured or killed while inside an air-transported bounce house or by falling out of wind-blown bounce houses. I wish this was a distant and tragic story. It is not. The one we are simply sharing with you today is a true-life story lived right here in Nevada.

Chair, with your permission, I would like to introduce Mitch and Wendy Hammond. They are here to share their story about their daughter, Lizzy. We are wearing our Lizzy pins today. This is the reason we have prompted this bill. If you do not mind, I will turn it over to the Hammonds.

Wendy Hammond, Private Citizen, Reno, Nevada:

I am Lizzy's mom. This is my husband, Mitch Hammond. They have asked us to testify on behalf of this law. It has been six years in the making for us. I do appreciate your time and letting us share a story, one of those kind of buried down. It is hard for us to share, but we feel it is very important for you to hear and to know how to protect our kids. We do want to say thank you to all of you for listening. Thank you to Assemblymember Tracy Brown-May and Elliot Malin for getting us to this day and all of our supporters here. Our children are here as well, Abby and Danny Hammond, as well as Grandma and Grandpa Linscott, so we have a lot of support here for Lizzy.

They asked us to share our family story. Mitch and I were married in 2008. Our kids are Lizzy, who was born in 2009. Danny was born in 2014, and Abby was born in 2016. We forgot to send Mr. Malin pictures of our family [A photo was shown of the family], but we will share those as we leave. This is us at a wedding in June of 2019. To our story, on July 14, 2019, Mitch was in Virginia for military training. He was scheduled to deploy to Poland that year. We had been invited to a birthday party. What do you do on a sunny afternoon in July? You go to a party with a bounce house and a waterslide. It was just a birthday party, and we actually did not know there would be a bounce house there until we got there. We already had a family rule that the kids could not get a bounce house because we had a friend who had snapped a leg inside one. When we pulled up, the kids saw the bounce house and they said, Oh, it has a bounce house. Are we going to be able to play? I said, Let us see how the day goes to see if it is not too crowded, as our main concern is too many kids inside. That is how kids get injured. It is a mosh pit. Not giving too much thought to the wind, I did have a premonition. I said, Oh, I better make sure it is staked out or weighted down. It is that mom-check on things. I visually looked down at the bounce house

and it had stakes around it, so I said, Oh, it is staked out, not realizing those stakes are just intended to hold it from shifting. When the kids are bouncing, the bounce house kind of walks. I did not know that so I was falsely reassured that it was staked out.

Again, we are enjoying the party. I was out there on the patio the whole time watching the kids. There was a waterslide. Abby and Lizzy were playing in a bucket of water next to the waterslide. The party started to wind down, so I looked at Lizzy as she got out of the water with Abby and was walking towards the bounce house. She looked at me and I said, Hey, you have five minutes. She said, Okay, and was going towards the bounce house. Danny, the birthday boy, and another boy were going into the bounce house, opening a gift, running back up to the patio, grabbing a gift, going back in, and opening it. They were not in it the whole time. They were going to and from.

On one of these trips in, Lizzy was now in there, so there were four kids in the bounce house as a gust of wind, huge force of wind, or whatever way you want to describe it—it was not a whirligig; I can tell you that for sure. The wind started to move the bounce house. I was closest to Abby. She was 2 at the time in a bucket of water as things are starting to fly. Lizzy was with Danny. I said, Well, at least I have Lizzy and Danny there. All the parents were running towards the bounce house because that is what was lifting first. I am going for the baby and then the waterslide picks up as I see the bounce house pick up. The bounce house goes up into the power lines. I guess that is a lucky thing that it hit the power lines because it could have kept going. It hits the power lines, and you could see a big arc of electricity. It is hanging there.

I had gone to get Abby while this is happening. As I see the bounce house go this way, I get completely knocked down. Things kind of go black for a second, and I kind of open up my eyes to facing a different direction. I had been knocked over by the huge inflatable water slide that also took flight. In this picture [[Exhibit I](#)], the bounce house is here. If you look closely, you can actually see Lizzy's body. Below that is the waterslide. That is how far everything took flight. I do not have the measurements. I would assume that is in the police report. I am a girl; I do not know footage. It hung in those power lines. While we were trying to reach them, we called 911. The fire trucks show up. They had to wait for another fire truck to show up with a bigger ladder. You are standing there looking at your kid hanging with no way to help. There are three kids in the bounce house at this time because as it lifted, one kid had fallen out.

If it had weights, I believe they would have had time to get out. There was one who was out; he fell, but he was able to get out. If they had more time, they probably could have all gotten out, or we could have helped them more. The parents could have helped, or something could have helped.

They are hanging there. We wait for the second ladder truck to get there. Now we have to wait for NV Energy to get there because they had to come and turn the power off. That poor man. As far as I understand, he was hauling butt from Spanish Springs to south Reno. According to some records, the kids hung there for about 10 to 15 minutes. Again, there were

three kids in the bounce house. The firefighters get the ladder up and start to take out the birthday boy first. He was the only kid we could hear from the ground. The window was there, and he got his face to the window and could yell back at his mom that he was okay. The whole time I could not see or hear Danny or Lizzy. We got the birthday boy out first. Danny came out looking terrified. They were trying to get Lizzy out, and the guy was kind of struggling. I said, She is really big for her age as she is all muscle. She is a really strong kid. He was able to get her out.

As soon as she came out, you could tell she was not okay. We got her to the hospital. They restarted her heart. Meanwhile, I am trying to get ahold of Mitch to get him home through Red Cross back here to Reno from Virginia. He arrived on Monday. Lizzy was then declared brain dead on Tuesday. They do a really great test, but I do not recommend watching that with your child ever. We made the choice to do organ donation. She was an organ donor. Her kidneys went to two kids out of northern California, and her liver went to a little boy who was number two on the waitlist out of Texas. It actually helped a little boy across the nation.

Two months later in September, while we were driving to a funeral for a soldier, that is when I got the call from the ME [medical examiner]. What killed Lizzy was that her C1 [vertebra] went into her brain stem at some point. We all do not know what happened in the bounce house.

I am also here to talk to you about the current implications. It is not just about Lizzy dying. It is about all the trauma to the rest of us. Our son has been diagnosed with PTSD [post-traumatic stress disorder]. Per a doctor, he has an abnormal fear of death for a ten-year-old. It is not me saying it. He fears that his cat will die. When this all first happened, he and Abby were terrified of the wind. If we were leaving the hospital to come home, they would scream as you tried to get them out of the car into the house. We were taking them to the movies, trying to entertain them. They would freak out at the mall because of the wind. Danny still has a very severe fear of heights. You cannot get him up on a ladder. We try, but he is very fearful of it. He also thought he had killed his sister because he was standing on her to try to get to the window. We tried to resolve that but, again, this is trauma to the brain I cannot heal what we are trying to heal.

Obviously, our family trauma is losing a child. We deal with lots of anxiety and panic attacks. I do kind of laugh when people complain they cannot sleep because of the wind. I say, Yeah, I have no idea what you are talking about, but okay. We also have a lot of trauma to the friends and family who are related. I cannot imagine being another parent trying to explain to your nine-year-old why their friend Lizzy was killed in a bounce house. It is pretty unexplainable and unable to be understood by children.

We affected lots of nurses at the hospital. It was the biggest honor walk they have had because Lizzy was such a huge impact in the community. This was a kid who, if you asked her, Hey, do you want to go feed the homeless this afternoon? She would say, Yeah, when do we go? There was never an Oh, I am sorry, I have to finish my iPad or no, thanks; it is scary.

She was first to action on anything you needed help with. We found out at the memorial service that she had helped kids with bullying. She has inspired nurses to continue on and do more work. Our time at Renown has benefited a lot.

I do not want to overstay my welcome. We are asking for this law, and we have been advocating for it because there is a need for education for our public. If I had only known those were just [stakes] to keep it in place. I know Reno gets windy. I would have asked where the weights were. I was not the one who signed the contract with the bounce house operator. I do not know if he advised her. He did not have a business license, and he has faced no charges because there was no law that he broke. He had taken the labels off the bounce house so we could not prove he set it up wrong. There is nothing for us to stand on with him. He did not have insurance. He had nothing but money, cash flow, for when he rented out these bounce houses. I do believe if he had weights on it, it would have made a big difference in our world. Just some commonsense things; leaving the manufacturer tags on that would have helped. We are here to try to protect our kids. We do have a lot of kids in your lobby. I know this is weird and different. We do believe kids are important; they are our future, and we need to keep them safe. They are here because their sister Lizzy cannot be here. That is why they are here. I know they are a little bit of a pest, but that is our future, and we need to keep them safe. Thank you again for your time, and we appreciate this opportunity.

Assemblywoman Brown-May:

Thank you for sharing your story and your vulnerability. Chair, if it pleases you, at this time we would like to go through the bill. Mr. Malin will walk us through the bill language.

Elliot Malin, representing Lizzy Hammond Foundation:

Thank you for the opportunity to present this bill, what we are affectionately calling Lizzy's Law. I will be presenting the sections of the bill and look forward to the conversation. First, I want to say I am thankful for the Hammond family for their willingness to be here today and tell their story. I am thankful for Assemblymember Brown-May for picking up the phone when I called to chat about this and agreeing to carry it. I also want to thank those in the inflatable device industry, who I know are here today. We have worked diligently with them to try to find compromise to keep kids safe. I think we have gotten a long way in accepting a lot of the amendments they brought forth. I think we want to make sure we are keeping the good actors there and helping them.

To get us started, section 3 of the bill defines "inflatable device" as one that is air-filled with the incorporation of "a structural and mechanical system and employs a high-strength fabric or film that achieves its strength, shape and stability by tensioning from internal air pressure" that can be used by a person to bounce, play, slide, climb, or interact for recreation purposes. These include, "without limitation, a constant air inflatable bounce house, inflatable slide or water slide, obstacle course, pool or enclosed inflatable trampoline."

Section 4 of the bill defines an "operator" as a person who is "on-site at the location where an inflatable device is used who sets up, operates, maintains or supervises the use of an inflatable device" Section 5 of the bill defines an "operator business" as a business that is engaged in making inflatable devices available for use in the state and employs, controls, directs, or hires an independent contractor to operate an inflatable device on the business's behalf.

Section 6 of the bill requires that a business shall not engage in making inflatable devices available unless they hold a valid state business license and liability insurance, certificate of insurance bond of a surety company, or any other surety of not less than \$1 million. Section 7 requires an operator of the business to keep a logbook for any inflatable device which is available for use by the operator business. The logbook may be written or digital and must be available for inspection. It requires that an operator must record the results of each inspection conducted pursuant to sections 8 to 11 of this bill in the logbook and requires that if an inflatable device is either temporarily or permanently discontinued for use at an event that the time and date be recorded for any reason described in sections 8 to 11 of this bill or any reason that is defined in the manufacturer's manual for the device.

Section 8 of the bill requires that an operator, before allowing anyone to use the inflatable device, inspect the inflatable device at the location where the device is to be used in accordance with sections 9 to 11 and that the use and setup conforms to the manufacturer's manual for the device. Further, it requires that the operator not allow any person to use the inflatable device if the inspection reveals a hazard or potential hazard that would make the use of the device unsafe.

Section 9 of the bill requires that an operator inspect the inflatable device to ensure all manufacturer labels remain attached to the device and are legible. If any label attached by the manufacturer to the device is missing, the use of the inflatable device must be discontinued, and that inflatable device must be destroyed. Further, this section prohibits the transfer or sale of an inflatable device that does not have all of the original manufacturer label still attached.

Section 10 of the bill requires that an operator shall not permit the use of an inflatable device if the wind speed exceeds 20 miles per hour. It says 10 in the bill. I am going to go through conceptual amendments [\[Exhibit J\]](#) as well. We increased this from 10 miles per hour after negotiating with the inflatable device industry and acquiescing to their ask of 20 miles per hour. An operator must use an anemometer to calculate wind speed at the time of set up and record that in the logbook.

In section 10, subsection 3, we are accepting an amendment that the language should not require the operator remain on the premises but instead instruct the renter/customer on how to test for wind speed to ensure safety of the users. If the wind speed exceeds 20 miles per hour, that the device be deflated and made unusable for children.

After negotiating with the inflatable device rental industry, in section 11 we are instead proposing that weights be used at all times and striking weights and stakes. The purpose of this is that we learned 40 percent of inflatable devices are installed for use on solid surfaces such as parking lots and using stakes is unrealistic. We do not want to force them to drill into a parking lot. However, we do believe that weights are paramount, and we are reducing it from 100 pounds to 75 pounds to conform to industry standards.

Section 12 of the bill requires an operator's warning sign that is in red and not less than 72-point bold-faced type. Section 13 of the bill stipulates the purpose of any civil action involving an injury to a user of an inflatable device made available for use by an operator business. Any violation of the provisions of this act would create a conclusive presumption that the operator or operator business was negligent per se.

With your permission, Chair, I am going to briefly go through the conceptual amendments [[Exhibit J](#)]. In the first conceptual amendment, because we are here due to Lizzy, we would like to add in a preamble about her. Two, there is a fiscal note on the bill currently for local government. It states, "Increases or Newly Provides for Term of Imprisonment . . ." We do not actually have any criminal penalties in the bill, so we would like to strike the fiscal note.

Three: we have agreed on no staff but require instructing rentee how to take wind speeds and break down the inflatable device if wind speeds exceed statutory limit; 4: change the wind speed from 10 miles an hour to 20 miles an hour; 5: change the weight minimum from 100 pounds to 75 pounds; 6: change language to require weights at all times and no stakes; 7: include language for a warning sign that says inflatable devices have caused injury and death if installed incorrectly; 8: a logbook must only be kept for two years; 9: logbook inspection of records is for the customers, users, local and state agencies only; 10: we are going to extend the effective date to January 1, 2026, to allow compliance for businesses; 11: change section 3, subsection 2 to read "outdoor recreation" because we are talking about outdoor recreation; and, 12: we have various points of conforming language for section 8, subsection 1, and sections 9, 12, and 13.

With that Chair, I am happy to take any questions.

[A document, [Exhibit K](#), was submitted but not discussed and will become part of the record.]

Assemblymember Brown-May:

As you can see, we have done a fair bit of work to make sure we are focused on the safety and well-being of our families and our children. The current regulations we are proposing are in existence in Clark County currently. We are hoping to make it a statewide regulation that we know has been in practice for a period of time. We want to continue to support bounce house operators. We believe they are a part of our entertainment industry so we certainly do not want to disparage them, but we do also want to make sure they are being operated effectively and with the care and safety of our youth in mind. With that, we stand for questions.

Chair Marzola:

Before I go to the Committee members for questions, I want to say my heart goes out to you and your family. I cannot even imagine what you guys have been through. You are right; it is our responsibility to protect all children. Thank you for being here and sharing your story, even though I know it is really hard. It is much appreciated. I will start with questions.

Assemblymember Miller:

I echo the Chair. Obviously, our hearts go out to all of you: the immediate family, parents, siblings, friends, family, and the entire community that lost Lizzy. My question is in section 10, subsection 3, which is the part that was amended out and was one of the things I felt was effective about the bill. Maybe I should back up to everyone's experience. We all go to these parties; it is in the backyard. Oftentimes the homeowner and the adults are partying or on the other side of the yard doing their things. Kids are running on the loose. Of course, stuff happens. With this, it implied originally that the business operator would be there the entire time supervising. I understand that part has been amended out and now the renter or homeowner would then be taught how to measure the winds and such. At this point, the business owner has done their job, they have taught the homeowner, person, or entity running it how to measure, what to do, and what the expectations are. What happens if the person running the bounce house or whatever does not comply or does not follow through with those requirements?

Elliot Malin:

This was a big point of contention. Personally, I would love to see an operator there the entire time. I also understand it is unrealistic to these businesses with the cost to it. In some of the conversations I have had, what I have learned is these operator businesses are requiring certain things in their contracts, and they are already doing a lot of this. I am going to have to defer to a lot of what these contracts say.

To point out another thing, because I did not talk about enforcement of this, we are also working with local governments to try to ensure the enforcement of this in compliance. It is a tricky situation. We want to have these operators there the entire time. The operator businesses cannot necessarily afford to have them there the entire time. We are trying to find some common ground. We believe within these contracts, insurance requirements, and everything if we can require they at least train and instruct these rentees on how to do this, we can save some lives.

Assemblymember Miller:

It is in the contract. If something happens, now the liability would be on the renter, correct?

Elliot Malin:

Potentially, depending on what the contract says. I cannot say with what is in front of me because I do not have those in front of me. There is potential for that, yes.

Assemblymember Brown-May:

The intention is to start to put in regulation currently where none exists. The operator in Lizzy's incident did not have a business license, was not regulated, did not have liability insurance, and did not educate the people who were at the bounce house. This piece of legislation gets us incrementally to make sure our business operators are licensed, they are insured, and they are training the people who are renting the devices to operate them appropriately. In my experience, responsible business owners who operate these bounce houses are following up with regard to what wind speed is while their business is in operation, whether they are on site or not.

Assemblymember Monroe-Moreno:

For the family, I feel for you. I am so sorry for your loss and for the pain your family is still going through. It will take years, and we have a responsibility to help you, help us make this safe for all families in the future. Thank you for sharing your story. I cannot imagine being in your shoes. Mr. Malin, when you were presenting you had said a large number of these inflatable devices are put on hard surfaces. I, too, am a mom and a grandma and host a number of community events. They are generally in parks where there are soft surfaces. Is there a way in the bill to amend the language that if it is on a soft surface to have both stakes and weights when the surface can do both as an added measure?

Elliot Malin:

Absolutely.

Assemblymember Monroe-Moreno:

I know when putting a birthday party or community event together, it is hectic in any event planning. With the training of the parent, how much training would the event host have to have? I have rented before, and I have rented from licensed inflatable house businesses. They instructed us how to use it, and we have been very responsible in assigning people to be there for that instruction so we have multiple people who know how to use it. What is that training amount? Businesses I have used before have called in to check on us around an hour or two later to see how things are going. Is that something that could be added in as well?

Elliot Malin:

I think that is easy to add in when addressing the training requirement. I recently learned what an anemometer is because of this bill. I did not know that. It is not a very expensive device to be able to test wind speed. I do not think it would take much time to train an individual on how to deflate this device and make it inoperable. It is one thing to test the wind speed and then basically take down the inflatable device.

Assemblymember Torres-Fossett:

Thank you so much for the presentation and being willing to join us as a family to share your story and to talk a little bit about Lizzy. I have a question that is specific to the enforcement agency. I noticed on page 3, section 7 of the bill, it talks about the logbook and the logbook should be ready to inspect. I want some clarity on what enforcement agency would be checking that logbook, whether or not we are expecting the Health District or if we would

expect local government or law enforcement to be responsible for that. To better understand it, the way I read it the logbook would be staying with that device. I wonder if that is even realistic. If I was a company and I left my bounce house there, I would not want to leave my logbook with a family I do not know. I want to get some clarity on that.

Elliot Malin:

I am going to try to take those in order. Can you remind me of the first question because I am currently on the logbook.

Assemblymember Torres-Fosset:

Yes, the enforcement agency.

Elliot Malin:

We are working with local government to try to figure out what that mechanism looks like for them. From what we heard, they were fairly supportive of this and want the ability to enforce. We will have an additional conceptual amendment on that. When it comes to the logbook, personally I do not think that is overburdensome. If I were them, I would have multiple copies, especially if it is digital. Part of it is also who can inspect the logbook. It is going to be the customer or user, the guardian of the child inside the device, and enforcement agencies. I do not think it is too much to ask to keep it there so that way parents and guardians can understand what this device has been through.

Assemblymember Brown-May:

If I may follow up on that, in Clark County, currently business license is the division that would oversee to ensure they are operating as a business license. That would be the entity to make sure it is an appropriate licensed business. The logbook is often on the side of a bounce house in a polyurethane sleeve where there are necessary declarations included. It would not be uncommon to find a logbook or additional documentation identifying that specific bounce house and its compliance with the expectation would be attached to the side of the bounce house.

Assemblymember Torres-Fossett:

I do not need all the answers right now, but I would like more clarity on that part of the legislation. Additionally, I do think local government should kind of take a role there. I think that needs to be clarified in this piece of legislation that local governments need to determine what that logbook process looks like.

Assemblymember Cole:

My sister had a kidney transplant last year, so I appreciate that part of your story as well. I have a quick question on whether or not we could require the contracts to include adult supervision to be there because obviously a 16-year-old kid is not going to be able to realize what is happening with the weather. My other question is on the liability insurance. Is the homeowner named as an additional insured on that policy to protect their interest?

Assemblymember Brown-May:

We are certainly happy to look at both of those recommendations for clarity going forward as we finalize what that amendment will look like. Both are very reasonable and we appreciate your comment.

Assemblymember Hardy:

I, too, want to express my condolences to you and for being willing to be here and share your story. I have daughters and have been in bounce houses. It is tragic what happened to you. Hopefully, through this law, other children will be protected, and Lizzy's name will be used in a good way with this experience. I want to talk about the bill in section 12. There are parts in here where it says the device must have the warning labels attached to it that come with the device, the manufacturer warning labels. You also have mentioned a sign in addition to that. Could you go over what is required on the sign in addition to the warning labels?

Elliot Malin:

The devices come with warning labels. Part of what we want to do is make sure they cannot be ripped off. I am sure all of you growing up saw the little tags on your mattresses and were afraid you were going to be sent to jail if you ripped them off. We are effectively talking about the same kind of tag. We want to keep them on there because it is the manufacturer's warning. We want to see additional language. I glossed over it because I was trying to respect your time, but let us go over it. The operator's warning sign is in red and not less than 72-point boldface type. The sign must not be less than 2 feet in length and in width and must contain the following information, in a type and font that is easy to read and in substantially the following form:

1. A logbook of safety inspections for this inflatable device is available for review upon the request of any person.
2. The maximum allowable wind speed for the safe operation of an inflatable device in our state is 20 miles per hour and that is what we are determining. The operator is required to use and keep available for use an anemometer to monitor wind speed before and at all times during use of this device. If the wind speed exceeds 20 miles per hour, the operator is required to discontinue use of the device.
3. This inflatable device must be anchored to the ground during use. To secure each point where the device is anchored to the ground, the operator shall use 75-pound weights at each anchor point or more if the manufacturer requires it, and with Assemblymember Monroe-Moreno's comment on soft surfaces, with stakes.
4. The maximum number of users of this inflatable device is determined by the recommendations of the manufacturer according to the warning labels attached to the device.
5. If that device is installed incorrectly, it can lead to a severe injury and/or death.

Chair Marzola:

Are there any additional questions? [There were none.] I do have a question. It relates to the wind speed. I see you are changing that from 10 miles per hour to 20. I want to ask why and what the thought process was behind that.

Elliot Malin:

We started at 10 miles per hour. We know that at 0 to 10 miles per hour, 33 percent of incidents occur. We were talking to the bounce house operators in our state when they reached out to us, and I am very grateful for their feedback. We believe these devices can be safely used and reduce incidents at 20 miles per hour. I know there is a request to go up to 25 miles per hour. To be very clear, 51 percent of all incidents occur between 0 and 25 miles per hour. That 5-mile-per-hour difference is the difference point of 18 percent. In my mind, that is not necessarily worth it. We were able to keep this low at 33 percent. If installed correctly, hopefully we can have zero incidents.

Chair Marzola:

I might have misunderstood you. Did you say from 0 to 10 miles per hour, 33 percent of incident happens?

Elliot Malin:

Zero to 20 miles per hour is 33 percent.

Chair Marzola:

I have a question for Mr. and Mrs. Hammond. Was it windy initially? Or did it all of a sudden became windy?

Wendy Hammond:

It was not windy. It was a very calm day. I think the party started at 11 a.m. or something. Again, we are always kind of the last to leave. Mitch was gone so the kids were enjoying their time, and I was visiting with the mom. Like you are saying, sometimes kids are left unsupervised. I actually sat on that patio the whole time keeping an eye on all three kids. It is one on three when Dad is deployed or on active duty. Abby was two at the time, so I am not leaving them unsupervised for a minute. No, the wind was not high. It had just started that gentle afternoon breeze where it is not even a breeze, but when they were wet, the kids were not on the waterslide anymore. It started to get a little chilly for that. It was not where we were looking at each other saying, Oh, gee, it is getting windy. Let us take this down now. There were no comments about that. I was sitting with the homeowner/birthday mom. There was never an, Oh, the guy said I should take it down. Then that gale force or, whatever it was, came through. Again, it was not a whirligig. We know those around Nevada. There is nothing you can do. It was that this huge gust came through.

While I have you, we wanted to make sure it is reported that Lizzy's accident happened at 17 miles per hour. For us to move it to 20 miles per hour, it hurts our hearts. I am hoping it does not hurt any kids because that is why we are here. That is why we share our testimony, to help others. I do not purposely put myself through this pain. I am not sadistic that way.

I am here to help others. Our family is a family of service. That is what Mitch does with the military. That is what we do with all of our community service. It is to help others and prevent safety [*sic*] as best as we can.

I do believe the sign is going to help because the sign is going to be when a professional installer puts up that bounce house. These parents are going to see that sign, and when they are over at a friend's house who has a bounce house set up they bought off eBay or craigslist from a person in the back of 7-Eleven, you are going to have that thought as a parent of, Wait a minute. When I was at the other place, it said it should be weighted down. Where are your weights, friend? Where are your weights, parent? It is going to help advocate through the community and keep our kids safe in that community reach and public education.

Thank you for listening. We wanted to make sure we got this wind speed in there for you that we are flexing with these bounce house operators. I know the one we were dealing with obviously was a bad operator or whatever you call him. It still took a child's life, so we are trying to educate the public and provide teeth for other parents. If something like this happens, they have a leg to stand on. We were left with nothing. There was no law. The guy had no insurance. He was a bad actor, as you say. Thank you for your time and for listening.

Chair Marzola:

Thank you for answering my question. You actually answered my second question, which was the wind speed at the time of the incident. The reason I asked you if it had been windy was, to me, if it was not windy and then all of a sudden there was a gust of wind, at 10 miles per hour, that is still significant. I was trying to understand why the change to 20 miles per hour.

Assemblymember Yeager:

Thank you for being here and sharing. Thank you for everyone who is in attendance today. I know there is a lot you could be doing today. We just appreciate your being here. I want to follow up on this line of questioning because when I heard 20 miles per hour or 25 miles per hour, of course I looked at the sheet here [[Exhibit H](#)]. It talks about 17 miles per hour that happened in this incident. Maybe my question is not something that could be answered today. I think what you are probably going to say, Mr. Malin, is if this was properly weighted down, maybe it would not have been an issue at 17 miles per hour or 20 miles per hour. Is there data or safety guidelines around that question of, if something is properly secured whether it is by stakes or by weight, what the wind tolerance would be? I want to make sure we are making this decision based on data. I think in the situation we are hearing here, 10 miles per hour might have done it because it seems like it was not properly secured at all. I want to make sure we have good data and underpinning to make that decision as a Committee.

Elliot Malin:

There is information out there. The top recommended speed is 25 miles per hour. That is the top recommended speed we can find. I know it says to tell you what the acronym means. I do not know what the acronym means, and I will get you that information. The American

Society for Testing and Materials (ASTM) International guidelines would say that. It is also the ASTM International guidelines that we use to determine that 18 percent jump from 20 to 25 miles per hour and why it is painful to get there for us. I can get you more information.

Assemblymember Monroe-Moreno:

As I sit here, I get to use the Google machine. As you look at it and go to Bounce Horizon with the Bounce House Rules and Regulations: Complete Safety Guide 2024 and you go down to Essential Bounce House Safety Rules, it is a quick reference guide. It goes through the age and weight of children. The maximum weight is 75 pounds; no one under 6 years old; and adult supervision for 4 to 6 kids. When you go to wind, it says wind speed should be below 15 miles per hour; not to use during rain; and temperatures below 90 degrees Fahrenheit is recommended. The family shared the wind speed was at 17 miles per hour. We heard the tragedy that happened at 17 miles per hour. Moving it to 20 would be problematic for me. I feel we risk losing other children at 20 miles per hour. Could a happy medium be the 15 miles per hour?

Assemblymember Brown-May:

First, I want to thank you for your love and care for our youth. I would absolutely say we are more than happy to amend the language back down to 15 miles per hour, which was our original recommendation. As we continue to negotiate to get support relative to this bill, we have considered others. Given the feedback from this Committee, we are more than happy to go to 15 miles per hour, which was our original recommendation, and I thank you for that.

Chair Marzola:

Committee members, are there any final questions? [There were none.] We will move to testimony in support of A.B. 198. Is there anyone wishing to testify in support?

Justin G. Randall, representing Nevada Justice Association:

I am a practicing personal injury attorney in Las Vegas and a member of the Nevada Justice Association Board of Governors. We support this basic consumer protection and safety measure. As you have heard today, this is an industry rife with injuries to innocent children and citizens in our state. The current lack of regulation in this area creates unnecessary tragedies that could be avoided with the most basic and proper safety protocols. This bill promotes personal responsibility for anyone who causes harm to another individual. Often, the reputable and responsible inflatable companies are already providing these safety measures. We support requiring and expanding this accountability for the entire inflatable industry. This bill promotes safety and accountability for all bad inflatable actors in our state, and we express support of this important bill. As Mrs. Hammond stated, children are our future and this law is necessary to protect their future in our state.

Catherine Nielsen, Private Citizen, Carson City, Nevada:

First, I want to thank you for your time. My husband had the honor of serving in the Nevada Army National Guard with Mitch Hammond Jr., who is the son of Mr. Hammond Sr., over here, Lizzy's brother. I firsthand witnessed the grief this family experienced. I watched Lizzy's honor walk at Renown, and the pain is something that will never go away for them or

any of the other 28 families who lost someone. Our family personally no longer allows bounce houses at any of our birthday parties and do not let our kids go on them either. I do not know about any of you, but birthday parties are meant to be joyous occasions and full of happy memories. It is our responsibility as adults to keep these children safe. We have made the changes for our families, but we are counting on you to help the rest. I urge you to pass this measure.

Robert Quirk, Owner and President, Lincoln Heating & Air, Sparks, Nevada:

I am familiar with the Hammonds. They provide some professional services to our company. I am the owner of Lincoln Heating and Air Conditioning. By the way, I own many anemometers, and the acronym ASTM is the American register of standards and measurements. It is information engineers regularly follow. It has everything to do with stresses and measurements. It is a long list, but I will not go on. As a specialty contractor, I am commissioned, particularly in my field, as a literal guardian of public safety. As I was sitting and waiting for my opportunity, I counted there are nine licenses or certifications I have to maintain in order to administer our contribution in the marketplace.

Even in our orderly society, there are many dangers that are constantly present. Most of them are invisible, particularly in this case. I can name as examples: flammable gases, electricity, venting, combustion gases, and airflow, all of which I deal with on a daily basis inside our company. All of these forces can and, under some circumstances, be dangerous and even lethal. I have many licenses, and I sometimes feel very put upon by all the licenses, inspectors, and insurers that are constantly monitoring our behavior.

When I find there are elements of society that are unregulated, I maintain that is where the dangers exist and that is a condition that exists here.

Roger Linscott, Private Citizen, Reno, Nevada:

I am the grandfather of Lizzy. We were called to the scene over there where the bounce house was in the power lines. This is a personal thing. We were kept on the perimeter of the scene for what seemed like an hour before we were allowed by law enforcement to take custody of the kids who did not go to the hospital. I was surprised to learn there were no charges of negligence or any relation to a homicide that occurred as a result of this bounce house being misapplied on the site. I do not know whether the operator even received a citation for not having a business license. We were treated like stepchildren there. We were not allowed to have the kids for an hour. They let the welfare people come in through the police lines to interview the children. We were not even allowed to be on hand while they did that. The sergeant in charge called it a crime scene, but nobody was charged with the crime, and we were not allowed to go in. Those are my points. The law enforcement should be able to step forward on these things and take some sort of action, especially when something as freakish as this happens. Somebody was responsible, but nobody was held responsible.

Roxanne Riley, Private Citizen, Reno, Nevada:

I am great friends with Mitch and Wendy Hammond. This needs to go forward so we can have people held accountable.

Kim McNamara, Private Citizen, Reno, Nevada:

My friendship with the Hammond family began in the fall of 2015 when our daughters started kindergarten together. They were instantly the best of friends with play dates, birthday parties, sleepovers, balloon races, and trips to the lake. It was devastating to our family and, in particular, my daughter.

When I think of the evolution of safety, it is constantly improving and evolving in other areas of our lives. I will date myself here when I think of restraints in vehicles. It started with lap belts, then shoulder belts, and how about the car seats for infants and toddlers, and what I was brought home from the hospital in compared to today and with the current latch systems. I feel strongly if we have this awareness that there is a danger out there and there is an opportunity to create these safety mechanisms and put them in place, then children like Lizzy would still be here today. She would be a freshman in high school now. Instead of sleepovers and soccer teams, they would be getting ready for school dances and going to the basketball games and all of the fun. We do have a responsibility to protect children. I thank you for your time.

Jon Shafer, Private Citizen, Minden, Nevada:

I am a father of a six-year-old and a nine-year-old. As a parent, we have our own personal responsibilities we lay upon our family. We also have what we would call safety precautions we want to have in place. In my prior life, I was a Black Hawk helicopter pilot in the Army. We have operator's manuals and safety precautions we take. This is a unique piece of equipment. We do not want things to be so onerous in society that we are completely hamstrung. With a unique piece of equipment like this, the people are not commonly familiar with how to operate, this is just a commonsense approach to applying a few parameters here on how to operate it properly and to keep your family safe.

Sherii Paparich-Hess, Private Citizen, Carson City, Nevada:

I had the opportunity to meet Lizzy when she was six months old. I remember her first day at Gymboree. I own Gymboree Play and Music, which is a children's gym in Reno. The family has always held such a special place in my heart. They are a service family. They really do look out for people. They are such a wonderful part of the community. I support this bill so highly. We need business owners who are going to be held accountable. As I own Gymboree Playing and Music, I hold myself accountable for everything that happens at my site and the safety of the children. I personally do not think it is too much to ask a bounce house operator to stay there the entire time. That is their business. They are getting paid to do that. I stay at Gymboree every time I have something going on there. I think it is vital. If you own a business, you are responsible for that.

I also think we should work on educating the parents as well. Parents do not always know that a bounce house is made for kids six and under, so posting those rules is very important to help educate the parents as well. I appreciate your helping so this does not happen to another family. It is tragic that Lizzy had a beautiful life ahead of her and she would have made such a difference in the community.

Kenneth Quirk, General Manager, Lincoln Heating & Air, Sparks, Nevada:

As an HVAC [heating, ventilation and air-conditioning] contractor, I work a lot with air, and I think a lot about air; moving it, heating it, and cooling it. I realize most normal people do not think about air that much. Mrs. Hammond mentioned in her story that she had some thoughts about air. I think it would be extremely common that people going into this situation would not consider the danger. They have hired someone to provide this service. I know for heating and air-conditioning, we are responsible for the safety of the situation from beginning to end. I think that should be the same with the contractors providing services for bounce houses. Someone said earlier, someone was responsible, and I agree. I think that should be the person providing the service.

Colleen Andres, Private Citizen, Sparks, Nevada:

My husband served in law enforcement with Mitch. I recently retired from the military. I thank Mrs. Hammond for giving her story because I know it is not easy. I want to take the opportunity for you to be in Mitch's shoes when he was out of state trying to support his country. He had no answers to what had happened to his children. He did everything he could to get back as soon as he possibly could to support his family when it should not have happened in the first place. Think about that. We all hate airports. Think about trying to get home to your family when you do not have answers.

The picture you saw earlier Mrs. Hammond showed you was at my wedding. This happened, I believe, a week after my wedding. To this day, we still do not have a wedding picture in our house because I cannot go through the pictures. It is that hard. I am sorry to waste your time. I know I am not wasting your time, but I am sorry I was not prepared for this, but I did want to put that in your heads. Something has to happen here.

Hayley Hayden, Private Citizen, Reno, Nevada:

I am familiar with the Hammond family through my work with Donor Network West. I work in community engagement. Donor Network West was the organ procurement organization that worked with the Hammond family on that fateful day. I have been very fortunate to get to know the Hammond family through my work, and they are incredible advocates in so many areas in this community. As a community member, I remember when this happened six years ago. It was before I was working with Donor Network West. I have worked in nonprofits in the community for the last several years. It was something that shook this community to the core. I have seven nieces and nephews who live in this community, and I know one of my sisters was very concerned when this all happened and very invested in their story. I am in full support of this bill being passed and wanted to lend my voice to that.

Felicia Hill, Private Citizen, Reno, Nevada:

I did not have the privilege to meet Lizzy, but Mrs. Hammond and I have a connection that not a lot of people want to have the connection of. I lost my six-day-old daughter, and she was an organ donor as well. We are in the community involved with organ donation together.

I support this bill because there is not a lot of education, except for when they started their foundation and started educating the community. I personally did not know about bounce house safety. That is on me as a parent and for allowing my child in bounce houses when I am unaware of different wind speed and all that.

I was not able to read the bill, but I want to see more people held accountable with criminal action and different things like that because I personally worked for a local bounce house company even this last summer. It pained me to see they just wanted their five dollars for five minutes of fun. It is not fun when all of us have to go through this kind of pain as a community and the family members with the trauma. It was my very first time working for this company, and I was checking the wind speed. I told them, I do not think we should be having this anymore. They said, Oh, the event is over in around 15 minutes. It is the next five dollars. That is unacceptable because lives are not worth money.

Like I said, I was not able to read it. I do not know what kind of criminal actions people will be held accountable for, but I would like to see that a part of the bill if it is not. I just wanted to voice that because it is all about money for some people, even though they say they are for safety, and this was a licensed company, and things like that. Also, if you see something, say something. If you see those anchors and weights are not there, then please let someone know.

Linda Miller, Private Citizen, Washoe Valley, Nevada:

I was Lizzy's 4-H leader. Lizzy raised dairy goats, and she was very passionate about her goats. I wanted to thank you, especially for bringing up the wind speeds on this. I live in Washoe Valley, so I am very familiar with wind and how fast those gusts come up. Ten miles per hour is basically a breeze as far as we are considered out in the valley. Once that hits 20 miles per hour, it is gust time. You never know when it is going to go from 20 up to that 50 mile-per-hour mark. I would truly hate to see it raised to 20 miles per hour. I am strictly in favor of this bill.

Chair Marzola:

Is there anyone else wishing to give testimony in support?

C'era Norris, Private Citizen, Las Vegas, Nevada:

I am a business owner of a soft play and bounce house company here in Las Vegas, Nevada. Ultimately, I am in support of this bill with a few revisions. As a responsible operator, we always put out sandbags in our bounce houses. We often do not use stakes because many times we are in backyards and homeowners do not essentially want to ruin their backyards. In addition, we do not have an operator at parties. Many times it is family-oriented parties, and it is very easy to shut down bounce houses. That clause seems a little unnecessary. However, we do fully appreciate the Hammond family coming together. We have seen some operators out here in Las Vegas trying to start a business but not putting enough effort around their protocol. Ultimately, we have operated for the last three years with no incidents under our protocol. We are definitely looking forward to some of these regulations moving forward.

Dora Martinez, Private Citizen, Reno, Nevada:

As a newly blind grandma, I am a grandma now as all my kids are grown with kids under three who will probably want a bounce house. I wholeheartedly, 100 percent, appreciate the sponsor of this bill and the family. Let us hope the businesses will have accessible rules and warnings for people, like a blind grandma who wants to rent a bounce house and would be able to access that website because we cannot read print. Thank you to Assemblymember Brown-May, and I am so sorry for the loss of the family.

[A letter in support, [Exhibit L](#), was submitted but not discussed and will become part of the record.]

Chair Marzola:

Is there anyone else wishing to testify in support? [There was no one.] We will move to testimony in opposition to A.B. 198. Is there anyone wishing to testify in opposition? [There was no one.] We will move to the neutral position. Is there anyone wishing to testify in the neutral position on A.B. 198?

Vinson Guthreau, Executive Director, Nevada Association of Counties:

I wanted to come up in the neutral position to confirm some of the conversations that have been happening around enforcement and local government and that those conversations are happening. As was mentioned, some of this is in the Clark County code regarding these devices. I wanted to lend some context for the Committee that those conversations are happening with the sponsor. We thank the sponsor for bringing this forward.

Chair Marzola:

Is there anyone else wishing to testify in the neutral position? [There was no one.] Assemblymember Brown-May, would you like to give some final remarks? Does the family want to give any final remarks?

Assemblymember Brown-May:

There is not much for me to add. You heard this story about Lizzy and about the life we are living every day. I am honored to wear Lizzy's butterfly today. We are hopeful we can continue to move this measure forward in her honor so no other child or family has to go through what Lizzy's family went through. I thank you for the opportunity. Mr. and Mrs. Hammond, would you like a closing comment?

Mitch Hammond, Private Citizen, Reno, Nevada:

I want to thank you for listening to our horrific story. Know that I will never have my daughter back. It breaks my heart. Please pass this.

Chair Marzola:

Thank you again to your entire family and friends who are here in support. We appreciate you. I will now close the hearing on A.B. 198. I will now open it up for public comment.

Is there anyone wishing to provide public comment? [There was no one.] Committee members, are there any comments before we adjourn? [There were none.] This will conclude our meeting for today. We are adjourned [at 3:47 p.m.].

RESPECTFULLY SUBMITTED:

Julie Axelson
Committee Secretary

APPROVED BY:

Assemblymember Elaine H. Marzola, Chair

DATE: _____

EXHIBITS

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 211	C	Assemblymember Venicia Considine, Assembly District No. 18	Proposed conceptual amendment
A.B. 211	D	Nicole Rourke, Director, Government Affairs, City of Henderson	Letter in support
A.B. 211	E	Ron M. Aryel, M.D., Private Citizen, Reno, Nevada	Letter in support
A.B. 202	F	Paul Klein, representing Nevada Dental Association	PowerPoint presentation titled "Patients Before Profits: AB202 - External Review"
A.B. 198	G	Assemblymember Tracy Brown-May, Assembly District No. 42	Document titled "Estimated Number of Injuries and Reported Deaths Associated with Inflatable Amusements, 2003-2013"
A.B. 198	H	Assemblymember Tracy Brown-May, Assembly District No. 42	Document titled "Wind-Related Bounce House Incidents in Meteorological, Regulatory, and Outreach Contexts"
A.B. 198	I	Wendy Hammond, Private Citizen, Reno, Nevada	Photographs
A.B. 198	J	Elliot Malin, representing Lizzy Hammond Foundation	Proposed conceptual amendments
A.B. 198	K	Elliot Malin, representing Lizzy Hammond Foundation	Document showing map of states as classified for amusement ride/park statutes and regulations
A.B. 198	L	Bonnie Fuller, Private Citizen, Reno, Nevada	Letter in support