

NOTICE OF INTENT TO CIRCULATE STATEWIDE INITIATIVE OR REFERENDUM PETITION

State of Nevada



Secretary of State Barbara K. Cegavske

Pursuant to NRS 295.015, before a petition for initiative or referendum may be presented to registered voters for signatures, the person who intends to circulate the petition must provide the following information:

NAME OF PERSON FILING THE PETITION

Russell Greer

NAME(S) OF PERSON(S) AUTHORIZED TO WITHDRAW OR AMEND THE PETITION (provide up to three)

1. Russell Greer

2.

3.

NAME OF THE POLITICAL ACTION COMMITTEE (PAC) ADVOCATING FOR THE PASSAGE OF THE INITIATIVE OR REFERENDUM (if none, leave blank)

A Safer Nevada

Please note, if you are creating a Political Action Committee for the purpose of advocating for the passage of the initiative or referendum, you must complete a separate PAC registration form.

Additionally, a copy of the initiative or referendum, including the description of effect, must be filed with the Secretary of State's office at the time you submit this form.

X

A handwritten signature in black ink, appearing to be "R Greer".

Signature of Petition Filer

06/21/2022

Date

THE PEOPLE OF THE STATE OF NEVADA DO ENACT AS FOLLOWS:

Section 1. Short Title. Sections 1 to 18, inclusive, of this Act may be cited as the Regulation of Nevada Brothels Act.

Section 2. Preamble.

In the interest of the public health and safety, and in order to better focus state and local law enforcement resources on crimes involving violence, trafficking and personal property, the People of the State of Nevada find and declare that brothels, also known as houses of prostitution, must be legal in all counties and incorporated cities in Nevada. The transactions of sex and other adult activities inside brothels should be regulated similar to other legal adult entertainment businesses. Nevada has shown with its current legal brothel system that brothels can successfully and safely regulate prostitution.

The People of the State of Nevada declare that prostitution works best within a controlled system, where the workers are licensed and regularly tested, and the patrons can be monitored and deterred from committing crimes against sex workers. Wanting sex is natural and wanting to earn money from one's bodily autonomy is natural and so both should be regulated.

The People of the State of Nevada declare that prostitution must be regulated by each incorporated city and county in Nevada. This Act restricts the power of the county and incorporated cities to repeal laws that allow houses of prostitution to operate. This Act mandates that prostitution must be legalized in every incorporated city and county, regardless of population size.

The People of the State of Nevada proclaim that prostitution should be regulated in a manner similar to strip clubs and other adult entertainment clubs so that:

- (a) Prostitution only occurs in a business that is licensed by the County and Cities of Nevada.
- (b) Brothel owners are subject to a review by local licensing boards.
- (c) Workers are subject to review by local health boards.
- (d) Prostitution that occurs outside of brothels remains illegal.

Section 3. Definitions. As used in sections 1 to 18, inclusive, of this Act:

The words "shall", "must" and "will" are mandatory.

- 1. "County" means any geographical area that contains cities and towns.
- 2. "House of prostitution" means a licensed brothel.
- 3. "Incorporated city" means a city that is organized pursuant to the provisions of Chapter 266 of NRS or incorporated pursuant to a special charter.
- 4. "Licensed Brothel" means a building that is licensed and regulates the act of prostitution.
- 5. "Minor" means any person who is under the age of eighteen.
- 6. "Owner" means a person, LLC or corporation who owns and manages a brothel.
- 7. "Patron" means a person, above the age of eighteen, who solicits a sex worker for sexual activity.
- 8. "Prostitution" means engaging in sexual intercourse, oral-genital, oral-anal, or anal-genital contact, or any touching of the sexual organs, pubic region of a person or male or female breast with the intent of arousing or gratifying the sexual desire of either person for monetary consideration, whether by credit, cash, check, charge or barter.
- 9. "Regulated" means the act of ensuring that laws are followed.
- 10. "Sex worker" means an adult over the age of eighteen who is licensed to work in a licensed

brothel.

11. “Solicits” means to communicate to another person for the purpose of paying for sexual activity.
12. “Trafficking” means to force a person against their will to work as a sex worker in or outside of a licensed brothel.

Section 4. Limitations. Sections 1 to 18 do not permit any person to engage in and do not prevent the imposition of any civil, criminal or other penalty for:

- (a) working as a prostitute outside of a licensed brothel.
- (b) soliciting a prostitute outside of a licensed brothel.
- (c) trafficking any individual in or outside of a licensed brothel. who does not wish to work in a licensed brothel.
- (d) trafficking any individual of any age outside of a licensed brothel.
- (e) assault or battery on a sex worker.
- (f) assault or battery on a patron.
- (g) assault or battery on a brothel owner.

Section 5. Powers and duties of the County and Cities.

1. No later than 12 months after the effective date of this Act, every county and incorporated city in Nevada shall adopt all regulations necessary or convenient to carry out the provisions of sections 1 to 18, inclusive, of this Act. The regulations must not prohibit the operation of licensed brothels, either expressly or through regulations that make their operation unreasonably impractical. The regulations shall include:
 - (a) Procedures for the issuance, renewal, suspension, and revocation of a license to operate a brothel.
 - (b) Designating a Department or Board to regulate the brothels and their licenses.
 - (c) Qualifications for licensure that are directly and demonstrably related to the operation of a brothel.
 - (d) Requirements for the security of brothels.
 - (e) Requirements to prevent employing or allowing anyone under the age of 18 to work in or patronize a brothel.
 - (f) Requirements for conducting health checks on sex workers to ensure that a sex worker has not contracted syphilis, gonorrhea, HIV, AIDS or any other serious sexually transmitted disease.
 - (g) Requirements that each brothel mandates condom use.
 - (h) Requirements for record keeping by brothels.
 - (i) Reasonable restrictions on signage, marketing, display and advertising.
 - (j) Civil penalties for the failure to comply with any regulation adopted pursuant to this section or for any violation of section of this Act.
2. The County and Incorporated City Board or Department shall approve or deny applications for licenses pursuant to this Act, regardless of their population size.
3. The County and Incorporated City Board or Department may by motion or a complaint, after investigation, notice of the specific violation and an opportunity for a hearing, suspend, revoke or fine a licensee for the violation of sections 1 to 18, inclusive, of this Act or for a violation adopted by the county or incorporated city pursuant to this section.
4. The County and Incorporated City Board or Department may immediately suspend the license of

any brothel if the brothel knowingly employs a minor or trafficks a minor, or knowingly trafficks a person to work in a brothel. The County and Incorporated City Board or Department must provide an opportunity for a hearing within a reasonable time from a suspension to this subsection.

5. Any County or Incorporated City that already has legal brothels shall adopt these regulations accordingly to ensure that their ordinances align with this Act.
6. Counties and Incorporated cities do not have the power to supersede this Act to outlaw licensed houses of prostitution.
7. Each County and Incorporated City must allow at least two licensed brothels to operate.
8. To ensure that individual privacy is protected:
 - (a) The Incorporated City and County shall not require patron information to be disclosed, unless said patron is suspected of a crime.
 - (b) The Incorporated City and County shall not publicly disclose the names of sex workers, even upon a public information request.
 - (c) The Incorporated City and County shall conduct a background check on each prospective owner, officer, board member, sex worker and other worker who applies for a brothel license or a worker license.
 - (d) The Incorporated City and County shall inspect brothels as necessary to enforce sections 1 to 18, inclusive, of this Act or the regulations adopted pursuant to this section.

Section 6. Patronizing and Soliciting Allowed. 1. Notwithstanding any other provision of Nevada law and the law of any political subdivision of Nevada, except as otherwise provided in this Act, patronizing and soliciting licensed houses of prostitution is lawful in this State, in any county and incorporated city.

2. Licensed brothels reserve the right to ban and deny service to any patron who is deemed a threat to the safety of the brothel and the workers.

Section 7. Working as a Licensed Sex Worker Authorized. 1. Notwithstanding any other provision of Nevada law and the law of any political subdivision of Nevada, except as otherwise provided in this Act, it shall be lawful for any person above the age of eighteen, regardless of gender identity or sexual orientation, to apply for a license to be a sex worker, contingent upon if said person passes the county and incorporated city background requirements.

2. Licensed brothels reserve the right to refuse to hire any sex worker without needing to offer an explanation.

3. Sex workers reserve the right to refuse to service any patron and are not subject to civil liability for refusing service to a patron.

Section 8. Lawful operation of brothels. Notwithstanding any other provision of Nevada law and the law of any political subdivision of Nevada, except as otherwise provided in this Act, it shall be lawful for a licensed brothel to be operated, pursuant to the regulations of the county and incorporated cities.

Section 9. Certification of brothels. 1. No later than 12 months after the effective date of this Act, every designated County and Incorporated City Board or Department shall begin receiving applications for brothels.

2. Upon receipt of a complete brothel license application, the County and Incorporated City Board or Department shall, within 90 days:
 - (a) Issue the brothel license if the license application is approved; or
 - (b) Send a notice of rejection setting forth the reasons why the County and Incorporated City Board or Department did not approve the application.
3. The County and Incorporated City Board or Department shall approve a license application if:
 - (a) the prospective brothel establishment has submitted an application in compliance with regulations adopted by the County and Incorporated City, and the application fee required pursuant to this Act;
 - (b) the physical address where the proposed brothel will operate is owned by the applicant or the applicant has the written permission of the property owner to operate the proposed brothel on that property;
 - (C) the property is not located within:
 - (1) 400 yards of a public or private school that provides formal education to preschool or kindergarten through grade 12 and that existed on the date on which the application for the proposed brothel was submitted to the County and the Incorporated City Board or Department;
 - (2) 400 yards of a church or place of worship that existed on the date on which the application for the proposed brothel was submitted to the County and the Incorporated City Board or Department.
 - (d) There are not more than:
 - (1) 50 licenses already issued in a county or incorporated city with a population greater than 700,000;
 - (2) 20 licenses already issued in a county or incorporated city with a population that is less than 700,000, but more than 100,000;
 - (3) 20 licenses already issued in a county or incorporated city with a population that is less than 100,000, but more than 55,000;
 - (4) 20 licenses already issued in a county or incorporated city with a population that is less than 55,000;
 - (d) The locality in which the proposed brothel will be located does not affirm that the proposed brothel establishment will be in violation of zoning or land use rules adopted by the locality; and
 - (e) The persons who are proposed to be owners, officers, or board members of the proposed brothel:
 - (1) Have not been convicted of a felony offense; and
 - (2) Have not served as an owner, officer, or board member for a brothel establishment that has had its registration certificate or license revoked.
 - (f). Competing applications. When competing applications are submitted for a brothel within a single county or incorporated city, the County and Incorporated city Board or Department shall use an impartial and numerically scored competitive bidding process to determine which application or applications

among those competing will be approved.

Section 10. Expiration and renewal. 1. All licenses expire one year after the date of issue.

2. The County and Incorporated City Board or Department shall issue a renewal license within 10 days of receipt of the prescribed renewal application and renewal fee from a brothel establishment, if its license is not under suspension or has not been revoked.

Section 11. Fee schedule. 1. The County and Incorporated City Board or Department shall require each applicant for a brothel establishment license to pay a one-time application fee of \$5,000.

2. The County and Incorporated City Board or Department may require payment of an annual licensing fee not to exceed:

For the initial issuance of a license for a brothel..... \$50,000

For a renewal license for a brothel.....\$20,000

For the initial issuance of a sex worker license.....\$500

For the renewal license of a sex worker.....\$200

Section 12. Brothel Tax. A tax is hereby imposed and must be collected by the State, respecting prostitution transactions in this State by a licensed brothel at a rate of 10 percent per transaction. The tax imposed pursuant to this subsection:

(a) Is the obligation of the brothel; and

(b) Is separate from and in addition to any general state and local sales and use taxes.

Section 13. Any tax revenues, fees, or penalties collected pursuant to sections 1 to 18, inclusive, of this Act, first must be expended to pay the costs of the board or department of each locality in carrying out sections 1 to 18, inclusive, of this Act and the regulations adopted pursuant thereto. The Departments or Boards shall remit any remaining money to the State Treasurer to be deposited to the credit of the Nevada Arts Council in the State General Fund.

Section 14. Brothel establishment operating requirements. In addition to requirements established by rule pursuant to section 5 of this Act:

1. Brothel establishments shall:

(a) Secure every entrance to the establishment, so that access to areas where sex workers reside is restricted to only paying patrons, who are accompanied by the sex workers, and authorized employees.

(b) Equip each room that sex workers work in with an emergency call button, to allow workers to ask for help to deter assault.

(c) Have the outside of each room have a sign that mandates that condom use is mandatory, so that safe sex practices are followed.

(d) Determine the criminal history and age of any prospective employee or sex worker to prevent any

person who has been convicted of a felony offense or who is not 18 years of age or older from working for the brothel establishment.

(f) A manager or another person who holds a brothel license must make himself or herself, or an agent thereof, available and present for any inspection required by the County or Incorporated City. The County and Incorporated City shall make reasonable accommodations so that ordinary business is not interrupted and safety and security procedures are not compromised by the inspection.

Section 15. Penalties. 1. A person, whether it be an owner, an employee or a board member, who knowingly and forcefully trafficks another person into a licensed brothel shall be guilty of a category B felony, pursuant to NRS 201.300.

2. A person who batters or assaults a licensed sex worker or a brothel owner is guilty of a gross misdemeanor, punished by a fine of not more than \$1200 and imprisonment of not more than a year in jail.

3. A person under 18 years of age who falsely represents himself or herself to be 18 years of age or older to enter a brothel is guilty of a misdemeanor and shall be punished by a fine of not more than \$500.

Section 16. Severability. If any provision of this Act, or the application thereof to any person, thing, or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Act as a whole or any provision or application of this Act which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Act are declared to be severable.

Section 17. Conflict with Other Laws. All laws and parts of laws, whether they be municipal, county or state, of Nevada that are inconsistent with this Act are hereby superseded with respect to matters covered by this Act.

Section 18. Effective Date. This Act shall become effective on October 1, 2023, if approved by the legislature, or on January 1, 2025, if approved by the voters.

DESCRIPTION OF EFFECT

The initiative proposes that houses of prostitution be legalized and licensed in every county and incorporated city in Nevada. Each County Board and Incorporated City Board would be mandated to issue brothel licenses to qualified applicants who meet certain criteria. Brothels would be treated like any other adult entertainment club. However, each county and city may choose the number of licenses it may issue, which number must be more than 2 (up to 50 licenses may be issued), and choose zoning and other regulations such as advertising. Brothels would not be allowed to operate near schools or churches. The brothels would pay a 10% tax on each transaction between patron and sex worker, and the taxes would go towards helping fund the brothel regulatory boards and departments.

Those who wish to be sex workers in brothels must be over 18, and can be male or female, and they would have to apply for a sex worker license. A sex worker would be allowed to refuse service to any patron and would not be subject to civil liability. Sex workers would be tested for serious sexually transmitted diseases.

County of _____

(Only registered voters of this county may sign below)

Petition District: _____

(Only registered voters of this petition district may sign below)

This Space For
Office Use Only

1	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY			
	YOUR SIGNATURE	DATE	CITY		COUNTY
	/ /				
2	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY			
	YOUR SIGNATURE	DATE	CITY		COUNTY
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3	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY			
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Petition District _____ (**Only** registered voters of this petition district may sign below)

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6	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE / /	DATE	CITY COUNTY	
7	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE / /	DATE	CITY COUNTY	

State of Nevada - Initiative Petition – Statewide Statutory Measure

Place Affidavit on last page of document.

THE FOLLOWING AFFIDAVIT MUST BE COMPLETED AND SIGNED :

AFFIDAVIT OF CIRCULATOR

(TO BE SIGNED BY CIRCULATOR)

STATE OF NEVADA)

)
COUNTY OF _____)

I, _____, (print name), being first duly sworn under penalty of perjury, depose and say: (1) that I reside at _____
(print street, city and state); (2) that I am 18 years of age or older; (3) that I personally circulated this document; (4) that all signatures were affixed in my presence; (5) that the number of signatures affixed thereon is _____;
and (6) that each person who signed had an opportunity before signing to read the full text of the act or resolution on which the initiative or referendum is demanded.

Subscribed and sworn to or affirmed before me this
_____ day of _____, _____, by _____.

Signature of Circulator

Notary Public or person authorized to administer oath