

ASSEMBLY BILL NO. 171—ASSEMBLYMEMBERS
YEAGER AND WATTS

PREFILED JANUARY 31, 2025

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to the State Quarantine Officer. (BDR 51-985)

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

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

AN ACT relating to eggs; authorizing the State Quarantine Officer to take certain actions relating to the sale, offer or exposing for sale or transport for sale of egg products or shell eggs under certain circumstances; authorizing the State Quarantine Officer to adopt regulations relating to an order to temporarily suspend such requirements; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law prohibits an egg product or shell egg from being sold or offered, exposed or transported for sale within this State if the egg product or shell egg was produced by an egg-laying hen confined in certain enclosures that are not cage-free. (NRS 583.211-583.251) **Section 1** of this bill authorizes the State Quarantine Officer to order the temporary suspension of such requirements and any regulation relating to the sale of eggs in this State during an ongoing event that negatively impacts the national supply chain for egg products or shell eggs which may not exceed 120 consecutive days per suspension. **Section 1** additionally: (1) prohibits the State Quarantine Officer from ordering more than two temporary suspensions in 1 calendar year; and (2) requires the State Quarantine Officer to provide notice to the public when the order for the temporary suspension will be released. **Section 1** further authorizes the State Quarantine Officer to temporarily: (1) authorize the sale of grade B eggs; (2) prohibit certain governmental entities from purchasing eggs; and (3) authorize a farm owner or operator of a small egg flock to produce, sell or transport eggs to a retailer.

Section 8 of this bill authorizes the State Quarantine Officer to adopt regulations governing the circumstances in which a temporary suspension will be ordered and any requirements for such a temporary suspension.

Section 1.3 of this bill requires the State Quarantine Officer to enforce the provisions of **section 1**.



21 **Sections 1.4, 1.5, 4-7 and 9** of this bill provide that the provisions of **section 1**
22 are an exception to the existing prohibitions, enforcement and penalties relating to
23 egg products and shell eggs produced by egg-laying hens confined in certain
24 enclosures that are not cage-free.

25 **Section 1.1** of this bill applies certain definitions relating to cage-free eggs to
26 the provisions of **section 1**.

27 **Section 9.5** of this bill requires the State Department of Agriculture to submit a
28 report to the 83rd Session of the Legislature and the Chairs of the Standing
29 Committees on Natural Resources.

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

1 **Section 1.** Chapter 583 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *Except as otherwise provided by federal law, the State*
4 *Quarantine Officer may, by order, temporarily suspend the*
5 *provisions of this section, NRS 583.110 to 583.251, inclusive, and*
6 *any regulation relating to the sale of eggs in this State for a period*
7 *of time which may not exceed 120 consecutive days per suspension*
8 *during any ongoing event that negatively impacts the national*
9 *supply chain for egg products or shell eggs, including, without*
10 *limitation:*

11 (a) *A foreign animal disease identified by the Animal and*
12 *Plant Health Inspection Service of the United States Department*
13 *of Agriculture; or*

14 (b) *A federally declared disease emergency or natural disaster.*

15 2. *If the State Quarantine Officer orders the temporary*
16 *suspension of the provisions of this section and NRS 583.110 to*
17 *583.251, inclusive, pursuant to subsection 1:*

18 (a) *Subject to the maximum duration specified in subsection 1,*
19 *the temporary suspension remains in effect until the State*
20 *Quarantine Officer orders the release of the temporary*
21 *suspension;*

22 (b) *Not less than 14 days before the State Quarantine Officer*
23 *orders the release of the temporary suspension, the State*
24 *Quarantine Officer must provide notice to the public that the order*
25 *temporarily suspending the provisions of this section and NRS*
26 *583.110 to 583.251, inclusive, will be released; and*

27 (c) *The State Quarantine Officer may temporarily:*

28 (1) *Authorize the sale of grade B eggs;*

29 (2) *Prohibit or otherwise limit the purchase of eggs by state*
30 *agencies or local governments; and*

31 (3) *Authorize a farm owner or operator of a small egg flock*
32 *to produce, sell or transport eggs and egg products to a retailer in*
33 *this State.*



1 **3. The State Quarantine Officer may not order more than two**
2 **temporary suspensions in 1 calendar year.**

3 **4. As used in this section, “farm owner or operator” has the**
4 **meaning ascribed to it in NRS 583.218.**

5 **Sec. 1.1.** NRS 583.110 is hereby amended to read as follows:

6 583.110 As used in NRS 583.110 to 583.210, inclusive, **and**
7 **section 1 of this act**, unless the context otherwise requires, the
8 words and terms defined in NRS 583.111 to 583.120, inclusive,
9 have the meanings ascribed to them in those sections.

10 **Sec. 1.3.** NRS 583.130 is hereby amended to read as follows:

11 583.130 The State Quarantine Officer shall:

12 1. Enforce the provisions of NRS 583.110 to 583.210,
13 inclusive ~~§~~ **and section 1 of this act.**

14 2. Make and fix grades and standards for eggs.

15 3. Make such rules and regulations as may be necessary for the
16 enforcement of NRS 583.110 to 583.210, inclusive ~~§~~, **and section**
17 **1 of this act.**

18 **Sec. 1.4.** NRS 583.160 is hereby amended to read as follows:

19 583.160 ~~§~~ **Except as otherwise provided by an order issued**
20 **by the State Quarantine Officer pursuant to section 1 of this act, it**
21 shall be unlawful for any person, firm or corporation to represent,
22 advertise or sell as fresh eggs any eggs that do not conform to the
23 classifications provided for fresh eggs in NRS 583.110 to 583.210,
24 inclusive ~~§~~, **and section 1 of this act.**

25 **Sec. 1.5.** NRS 583.210 is hereby amended to read as follows:

26 583.210 ~~Any~~ **Except as otherwise provided by an order**
27 **issued by the State Quarantine Officer pursuant to section 1 of**
28 **this act, any** person who violates any of the provisions of NRS
29 583.110 to 583.200, inclusive, **and section 1 of this act** is subject to
30 a civil penalty pursuant to NRS 583.700.

31 **Sec. 2.** (Deleted by amendment.)

32 **Sec. 3.** (Deleted by amendment.)

33 **Sec. 4.** NRS 583.237 is hereby amended to read as follows:

34 583.237 1. Except as otherwise provided in subsections 2 and
35 **3** ~~§~~ **and by an order issued by the State Quarantine Officer**
36 **pursuant to section 1 of this act**, on or after July 1, 2022, a farm
37 owner or operator in this State shall not knowingly confine an egg-
38 laying hen in an enclosure which has less than 1 square foot of
39 usable floor space per egg-laying hen.

40 2. Except as otherwise provided in subsection 3 ~~§~~ **and by an**
41 **order issued by the State Quarantine Officer pursuant to section 1**
42 **of this act**, on or after January 1, 2024, a farm owner or operator in
43 this State shall not knowingly confine an egg-laying hen in an
44 enclosure which:

45 (a) Is not a cage-free housing system; or



1 (b) Is a cage-free housing system that has less than:

2 (1) One square foot of usable floor space per egg-laying hen
3 if the cage-free housing system provides egg-laying hens with
4 unrestricted access to elevated flat platforms, including, without
5 limitation, unrestricted access in a multi-tiered aviary or partially
6 slatted system; or

7 (2) One and one-half square feet of usable floor space per
8 egg-laying hen if the cage-free housing system does not provide
9 unrestricted access to elevated flat platforms, including, without
10 limitation, unrestricted access in a single-level, all-litter floor
11 system.

12 3. The prohibitions in subsections 1 and 2 do not apply to the
13 confinement of an egg-laying hen during:

14 (a) Medical research for which the egg-laying hen is used;

15 (b) The examination, testing or treatment of or a surgical
16 procedure performed on the egg-laying hen that is conducted by a
17 person licensed to practice as a veterinarian pursuant to chapter 638
18 of NRS or a person who is under the direct supervision of a person
19 licensed to practice as a veterinarian pursuant to chapter 638 of
20 NRS;

21 (c) The transportation of the egg-laying hen;

22 (d) A State or county fair exhibition, 4-H program or other
23 similar exhibition involving the egg-laying hen;

24 (e) The slaughter of the egg-laying hen so long as the slaughter
25 complies with the rules and regulations governing the slaughtering
26 of such animals; or

27 (f) Temporary periods for animal husbandry purposes. Such
28 temporary periods must last not more than 6 hours in any 24-hour
29 period and not more than 24 hours in total of such temporary
30 periods are allowed in any 30-day period.

31 **Sec. 5.** NRS 583.239 is hereby amended to read as follows:

32 583.239 1. A farm owner or operator shall not sell, offer or
33 expose for sale or transport for sale egg products or shell eggs
34 within this State unless the farm owner or operator has been issued a
35 certificate by the Department pursuant to NRS 576.128 and , *except*
36 *as otherwise provided by an order issued by the State Quarantine*
37 *Officer pursuant to section 1 of this act*, an endorsement of the
38 certificate by the Department indicating that the egg products or
39 shell eggs were produced by an egg-laying hen which was confined
40 in a manner that complies with NRS 583.237.

41 2. To apply for an endorsement required by subsection 1, a
42 farm owner or operator must submit to the Department with an
43 application for a certificate or renewal of a certificate issued
44 pursuant to NRS 576.128:



1 (a) An attestation that the farm owner or operator confined the
2 egg-laying hens in a manner that complies with NRS 583.237; and

3 (b) Evidence that the enclosures for egg-laying hens have been
4 inspected by a person described in subsection 4.

5 3. The Department shall issue the endorsement required by
6 subsection 1 to an applicant if:

7 (a) The farm owner or operator submits the information required
8 pursuant to subsection 2; and

9 (b) The Department determines that such information is
10 sufficient to indicate compliance with NRS 583.237.

11 4. The Department may use a government inspector, including,
12 without limitation, an inspector who is employed, contracted with or
13 authorized by the Department, or a private inspection or process
14 verification provider to ensure compliance with NRS 583.211 to
15 583.251, inclusive, during the production and the handling of egg
16 products and shell eggs. If the Department uses such an inspector or
17 provider, the Department must approve the inspector or provider as
18 competent to ensure compliance with NRS 583.211 to 583.251,
19 inclusive.

20 5. Each endorsement issued pursuant to subsection 3 is valid
21 for the period for which the certificate issued pursuant to NRS
22 576.128 is valid.

23 6. If a holder of a certificate issued pursuant to NRS 576.128
24 holds an endorsement issued pursuant to this section, the
25 Department shall include in any notice of renewal of the certificate
26 provided to the holder of the certificate a notice to renew the
27 endorsement issued pursuant to this section.

28 7. The Department may require an inspection of the enclosure
29 for egg-laying hens to determine whether to renew an endorsement
30 issued pursuant to this section. If the Department determines that an
31 inspection of the enclosure is required for the renewal of the
32 endorsement, the endorsement remains in effect until the
33 endorsement expires or until the Department makes a determination
34 whether to renew the endorsement, whichever occurs later.

35 8. The Department may not charge a fee for the issuance or
36 renewal of an endorsement pursuant to this section.

37 **Sec. 6.** NRS 583.245 is hereby amended to read as follows:

38 583.245 1. ~~FA~~ *Except as otherwise provided by an order*
39 *issued by the State Quarantine Officer pursuant to section 1 of*
40 *this act, a* business owner or operator shall not knowingly sell, offer
41 or expose for sale or transport for sale egg products or shell eggs
42 within this State if the business owner or operator knows or should
43 have known that the egg products or shell eggs were produced by an
44 egg-laying hen which was confined in a manner that conflicts with
45 the standards set forth in NRS 583.237.



1 2. ~~[A]~~ *Except as otherwise provided by an order issued by the*
2 *State Quarantine Officer pursuant to section 1 of this act, a*
3 business owner or operator shall obtain a copy of the certificate
4 issued pursuant to NRS 576.128 that contains the endorsement
5 issued pursuant to NRS 583.239 from the farm owner or operator to
6 whom the certificate is issued before doing any business governed
7 by NRS 583.211 to 583.251, inclusive, with the farm owner or
8 operator.

9 3. The business owner or operator shall:

10 (a) Retain a copy of the certificate obtained pursuant to
11 subsection 2; and

12 (b) Provide a copy of the certificate to the Department upon
13 request.

14 4. It is a defense to any action to enforce NRS 583.211 to
15 583.251, inclusive, that a business owner or operator relied in good
16 faith upon a certificate obtained pursuant to subsection 2.

17 **Sec. 7.** NRS 583.247 is hereby amended to read as follows:

18 583.247 *Except as otherwise provided by an order issued by*
19 *the State Quarantine Officer pursuant to section 1 of this act:*

20 1. The Department shall enforce the provisions of NRS
21 583.211 to 583.251, inclusive.

22 2. The Department or an authorized inspector or agent of the
23 Department is entitled to free access during regular business hours
24 to an applicable farm or business and to the records of such a farm
25 owner or operator or business owner or operator for the purpose of
26 inspecting such farm, business or record to determine whether any
27 of the provisions of NRS 583.211 to 583.251, inclusive, are being or
28 have been violated.

29 **Sec. 8.** NRS 583.249 is hereby amended to read as follows:

30 583.249 The State Quarantine Officer may adopt such
31 regulations as he or she deems necessary for carrying out the
32 provisions of NRS 583.211 to 583.251, inclusive ~~[]~~, *and section 1*
33 *of this act relating to the circumstances in which the State*
34 *Quarantine Officer may order the temporary suspension of the*
35 *provisions of NRS 583.110 to 583.251, inclusive, and section 1 of*
36 *this act and requirements for the temporary suspension.*

37 **Sec. 9.** NRS 583.251 is hereby amended to read as follows:

38 583.251 ~~[Any]~~ *Except as otherwise provided by an order*
39 *issued by the State Quarantine Officer pursuant to section 1 of*
40 *this act, any* person who violates any of the provisions of NRS
41 583.211 to 583.251, inclusive, is subject to a civil penalty pursuant
42 to NRS 583.700.

43 **Sec. 9.5.** Not later than 60 days after the effective date of this
44 act, the State Department of Agriculture shall submit a report of its
45 findings relating to the difference in the cost of eggs and egg



1 products sold by retailer or geographic region to the Director of the
2 Legislative Counsel Bureau for transmittal to:
3 1. The 83rd Session of the Legislature;
4 2. The Chair of the Senate Standing Committee on Natural
5 Resources during the 83rd Session of the Legislature; and
6 3. The Chair of the Assembly Standing Committee on Natural
7 Resources during the 83rd Session of the Legislature.
8 **Sec. 10.** This act becomes effective upon passage and
9 approval.

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