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To: Chairwoman Maggie Carlton, Vice Chairman Michael Schneider, and Members of the Senate Commerce and Labor Committee
From: Gary Peck
Date: March 27, 2009
Re: S.B. 207, Amending the Public Accommodations Laws to Include Sexual Orientation

This written testimony encompasses the ACLU of Nevada's position on amending Nevada's Public Accommodation Non-Discrimination Laws to include sexual orientation. Should you have any concerns or questions about our position on this matter or would like additional information, please do not hesitate to contact me.

Sincerely,

Gary Peck
Executive Director

1. Nevada Should Join The Growing Number Of States That Already Provide Anti-Discrimination Protections Based on Sexual Orientation.

It was with foresight and an unflinching goodwill toward all those who reside in or visit our State that this legislature in 1999 took a bold step forward by adding sexual orientation to its statutory chapter on Equal Opportunities for Employment.¹ We were not alone: twenty (20) states and the District Of Columbia have also provided statutory anti-discrimination protections based on sexual orientation in employment. The vast majority of those states have also added protections against discrimination in places of public accommodation.²

Sexual orientation is already included in NRS 233.101, the Nevada Equal Rights Commission's Declaration of public policy, which states:

"It is hereby declared to be the **public policy** of the State of Nevada to protect the welfare, prosperity, health and peace of all the people of the State, and to foster the right of all persons reasonably to seek and be granted services in places of public accommodation without discrimination, distinction or restriction because of ... **sexual orientation**,

¹ N.R.S. 613.310 – 613.435.

² California, Colorado, Connecticut, District of Columbia, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Hampshire, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, Washington, and Wisconsin.

"The strength of the Constitution lies entirely in the determination of each citizen to defend it."

-- Albert Einstein



It is now time to take another step forward by adding sexual orientation to Nevada’s Chapter on Equal Enjoyment of Places of Public Accommodation³; thereby putting full legal force behind the public policy declaration.

2. The ACLU of Nevada Supports An Inclusive Anti-Discrimination Bill.

The ACLU of Nevada supports the most inclusive language possible, and to that end is strongly supportive of the amendments to S.B. 207 submitted by other organizations to include protections based on “Gender Identity or Expression.”

The ACLU of Nevada urges this committee to consider those amendments and pass the most inclusive bill possible, in order to ensure that no person is denied protection against discriminatory acts in places of public accommodation based upon sexual orientation or gender identity. However, if the bill is passed in its original form, the ACLU of Nevada will continue its support for the important step forward this legislature would take in the direction of ultimately ensuring equality for all those who reside in or visit the State of Nevada.

³ NRS 651.050 – 651.120.

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