

The ACLU of Nevada **does not** have the resources to do any in-person or telephone consultations and **cannot guarantee** that we will be able to provide you with assistance.

- **ACLU of Nevada**  
www.aclunv.org/complaint
- **Nevada Equal Rights Commission**  
www.nvdetr.org/nrc  
Phone: (702) 486-7161 & (775) 823-6690

### HOW TO PROTECT YOUR RIGHTS

- If you feel your rights are violated, contact:
- Nevada law **does** allow a partner to make decisions on behalf of his or her incapacitated same-sex partner.
- For more information on domestic partnerships, visit the ACLU of Nevada's Domestic Partnership website www.aclunv.org/node/239 or the Nevada Secretary of State website at <http://nvsos.gov/sos/licensing/domestic-partnerships>.
- Unlike married couples, domestic partners must share a common residence and must be at least 18 years old. Additionally, public employers are not obligated to provide health insurance benefits to an employee's domestic partner, even if they would be obligated to do so for a married employee's spouse.
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## KNOW YOUR RIGHTS: SEXUAL ORIENTATION



Nevada, and the United States as a whole, has come a long way toward making the Fourteenth Amendment's promise of equal protection under the law accessible to all people, regardless of their sexual orientation.

Through activism, legislation, and litigation, the American Civil Liberties Union of Nevada has helped this state progress toward increased recognition of homosexuals' rights to live free from state-sanctioned prejudice. In 2014, Nevada joined a growing majority of U.S. states to recognize same-sex marriage. Additionally, LGBT Nevadans have many protections in the workplace, in housing, and in public accommodations.

This card will help make you more aware of your rights with regard to your sexual orientation. However, it is NOT intended as legal advice.

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- **DOMESTIC PARTNERSHIP:** Nevada permits same-sex couples and unmarried different-sex couples to register as domestic partners. Such domestic partnerships receive almost all the rights and responsibilities provided to married spouses under state law.
- **These rights include:** inheritance rights, hospital visitation, community property rights, testimonial privileges, unemployment and disability insurance benefits, workers compensation coverage, protection under domestic violence laws, and more.

- Marriage equality is the law in the United States. Per the Supreme Court ruling, same-sex marriages are recognized in Nevada, and every state in the union as of June 26, 2015.
- Nevada must also recognize same-sex marriages from other jurisdictions.

### MARRIAGE: YOUR RIGHTS AS A COUPLE

- If you believe you are being denied custody or visitation rights because of your sexual orientation, contact the ACLU of Nevada.

## PROTECTION FROM DISCRIMINATION

### AT WORK:

- Nevada law prohibits discrimination in employment based on sexual orientation.
- Unlawful discrimination on the basis of sexual orientation includes, but is not limited to, **failure to hire, limiting or segregating employees in ways that adversely affect employment status, firing, and singling out individuals through harassment or differential treatment** on the basis of sexual orientation.

### AT SCHOOL:

- Nevada law does not expressly address violence based on sexual orientation under the safe schools law. However, **Nevada law prohibits bullying, cyber-bullying, intimidation and harassment at public schools, public school activities, and on public school buses.** This prohibition is generally applicable to all public school students and employees, regardless of sexual orientation.
- If you are involved in a situation at a public school regarding bullying, intimidation, harassment, assault and battery, stalking, hazing, etc., you do have the right to report this to

- Nevada law does not permit the consideration of factors that do not affect the best interests of the child to be used in custody and visitation determinations.
- There are no published cases in Nevada dealing with the custody or visitation rights of gay, lesbian or bisexual parents.
- **YOUR RIGHT TO CUSTODY AND VISITATION:** If you believe you are being denied the right to adopt because of your sexual orientation, contact the ACLU of Nevada.
- Nevada law does not explicitly prohibit an individual from petitioning to adopt his or her same-sex partner's child or child of the relationship. No state court has heard the issue of whether a same-sex partner can or cannot petition to adopt a partner's child.
- Under Nevada law, couples who wish to jointly petition for adoption must be married. Married couples may petition to adopt his or her spouse's child or child of the relationship. No state court has heard the issue of whether unmarried same-sex partners in a domestic partnership may petition.
- Any adult person has the right to petition to adopt; the application process for adoption of a child through a child welfare service agency cannot be denied on the basis of sexual orientation.
- **YOUR RIGHT TO ADOPT:** Nevada law does not explicitly prohibit an individual from petitioning to adopt his or her same-sex partner's child or child of the relationship. No state court has heard the issue of whether a same-sex partner can or cannot petition to adopt a partner's child.

### YOUR RIGHTS AS A PARENT

the school and other authorities, and ensure appropriate steps, such as contacting the police, are taken.

### AT HOME:

- Nevada Fair Housing Law prohibits landlords and property owners from refusing to rent or sell property to someone based on their sexual orientation.
- However, some landlords may be exempt in a few specific situations.

### IN PUBLIC:

- Nevada law prohibits discrimination in public accommodations based on sexual orientation.
- A public accommodation is **any place to which the public is invited**, such as a hotel, restaurant, hospital, store or gym.

### HATE CRIMES:

- Nevada Hate Crime law explicitly addresses "actual or perceived" sexual orientation.
- Acts motivated by an injured person's "actual or perceived" sexual orientation subject the perpetrator to **additional liability including punitive damages and attorney's fees.**