

LGBTQ+ Business Climate Score

# Nevada

81.67

out of a possible 100 points



Out Leadership's Business Climate Index for the 50 United States is an assessment of states' performance on LGBTQ+ inclusion. It measures the impact government policies and prevalent attitudes have on the LGBTQ+ people residing in each state, quantifying the economic imperatives for inclusion and the costs of discrimination. It equips business leaders and policy makers with a clear sense of the most impactful steps states can take to make themselves more hospitable to forward-thinking, innovative, inclusive businesses.

## Color Coding



For more context around these scores, and to learn more about the criteria we used to assess how state laws, actions and attitudes toward LGBTQ+ people create business and talent risks, please visit [www.outleadership.com/staterisk](http://www.outleadership.com/staterisk)

# Nevada



### Legal & Nondiscrimination Protection

It's simple to change the gender markers on a birth certificate or driver's license, and neither process requires surgery or physician input. LGBTQ+ people are protected from discrimination by state law. However, not everyone knows about protections, victims or perpetrators of discrimination, and few know about how to seek recourse.



### Youth & Family Support

Conversion therapy to minors is banned in Nevada. People working with youths in the foster care system must have LGBTQ+ specific training. Any married couple or single individual is eligible to adopt in the state. One of the highest rates of unaccompanied, unsheltered youth, approximately 40% of homeless youth are LGBTQ+.





## Political & Religious Attitudes

Nevada's Governor and U.S. Senators have a track record of speaking and voting in favor of LGBTQ+ equality and inclusion. Nevada does not have any religious freedom restoration or protection laws.

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## Health Access & Safety

Trans healthcare is covered by Medicaid, public employee plans, and some private insurance companies in Nevada. There are no surgeons for bottom surgery in Nevada currently, but Medicaid can be used out of state with a referral. Knowingly exposing someone else to HIV can be prosecuted as a felony, and in certain cases it is further complicated by other factors of discrimination, especially difficult for trans people of color.\*

16/20



## Work Environment & Employment

26% of transgender employees in Nevada reported being harassed in the past year due to their gender identity, and 28% report mistreatment such as having someone at work share private information about their gender. 34% of LGBTQ+ individuals in Nevada reported food insecurity, double the rate for non-LGBTQ+ people (17%). Up to 34% of LGBTQ+ individuals in Nevada reported making less than \$24,000 per year. 11% of LGBTQ+ individuals report unemployment in Nevada, almost double the rate for non-LGBTQ+ people (6%).

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## A Note on Methodology

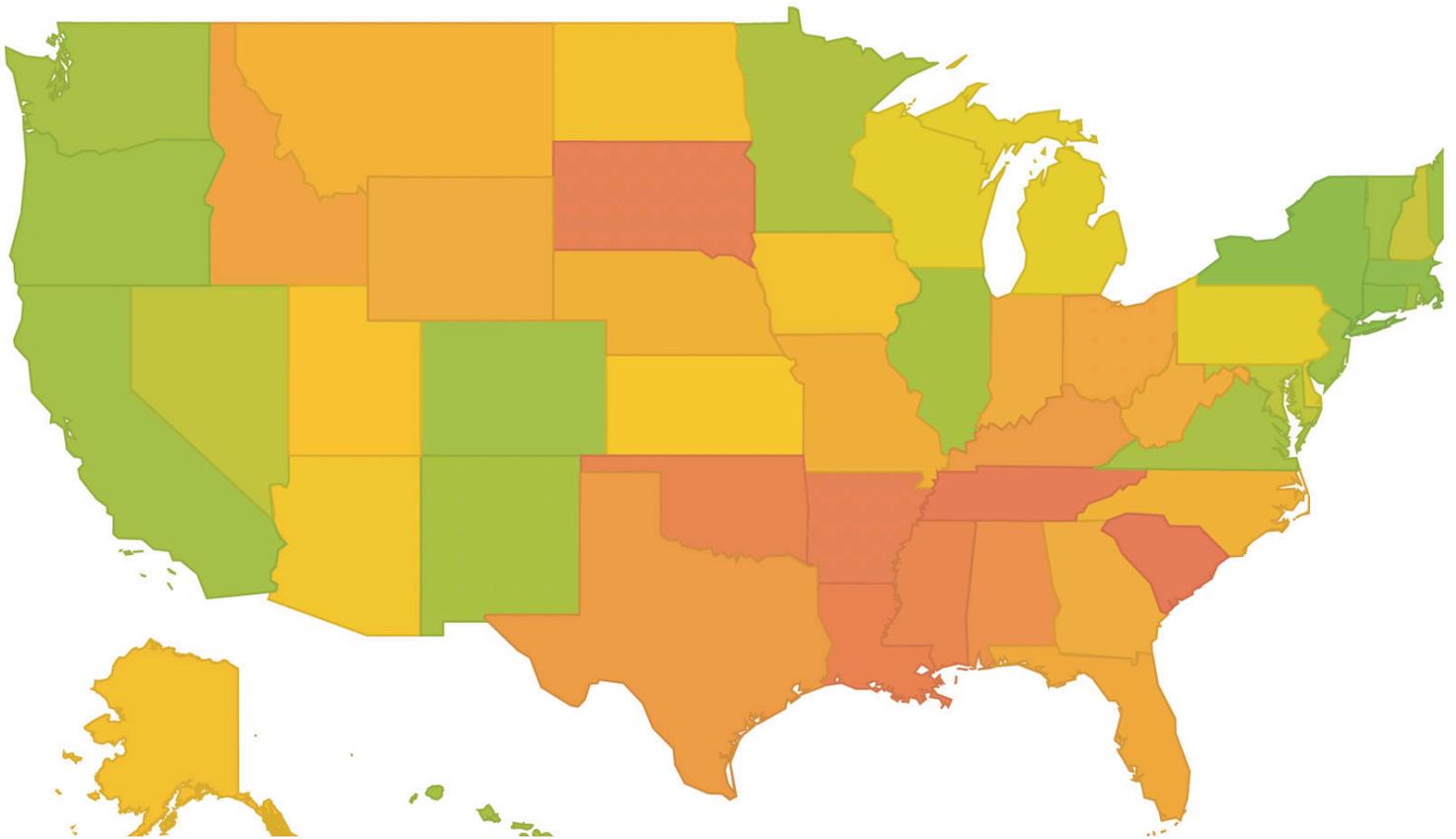
Download this report to learn how and why Out Leadership created the LGBTQ+ Business Climate Index for the 50 U.S. States, with important details about our methodology, including our data standards and practices. NOTE: \*HIV criminalization laws are discriminatory and ineffective. These laws fail to account for advances made in treating and controlling HIV, may deter people from getting tested and seeking treatment, and can exacerbate the stigma targeting people living with HIV and LGBTQ+ people.



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# United States Heat Map

The legal and cultural situation for LGBTQ+ people varies widely across the country. This map, based on each state's total Business Climate Score, illustrates the states where LGBTQ+ people are empowered to participate more fully and openly in the economy, and the states that are lagging behind.





# Nevada Talking Points

5.5% of Nevada residents identify as LGBTQ+. Conservatively, that's LGBTQ+ personal income of \$8 billion – it's a market my business can't afford to ignore.

When LGBTQ+ employees don't feel welcome at work, they're less likely to stay, and employee turnover is a drag on the state economy and business competitiveness. It costs companies an average of \$9,000 to replace an employee in Nevada, and it can cost up to \$459,000 to replace senior executives. Nevada and the businesses operating there have strong financial incentives to create inclusive workplaces in the interest of keeping these costs down.

Nevada's comprehensive nondiscrimination law protects LGBTQ+ people, so the state is already experiencing the positive economic impacts of such policies. One estimate suggests that the state's economy may have grown 3%, or \$4.7 billion, thanks to its inclusive approach. That said, there's still a gap between policy and culture, and organizations in Nevada have a business imperative to ensure that LGBTQ+ people feel welcome in their workplaces.

Nevada has a favorable economic environment for business investment – but taking steps to make LGBTQ+ people feel safer and more included would better enable companies to attract top LGBTQ+ talent.

Millennial and Gen Z consumers prefer to do business with companies with LGBTQ+ friendly advertising and policies – 54% say they're more likely to choose an LGBTQ+ inclusive brand over a competitor – which is why it's important that Nevada continues to foster a business environment where being inclusive is supported.

# Regional Context

## The West

Out Leadership and FCB partnered on original market research into the attitudes of American workers on LGBTQ+ inclusion, which fielded in 2019 and 2020. These briefs as a whole will be updated on an ongoing basis by Out Leadership because we recognize the ever-changing nature of policy on the local, state, and national level.

Overall, 52.5% of LGBTQ+ workers in the West are out at work. However, urbanicity has a big impact on whether LGBTQ+ workers feel comfortable sharing personal information at work (LGBTQ+ workers are 26% less likely to share when in rural areas vs 4% less likely to share in urban areas compared to national average). There is also a big impact when it comes to age and being open to managers, with older LGBTQ+ workers in this region being more likely to share with their managers than any other age group nationwide (52% more likely). West workers are also 14% more likely to report microaggressions at work which may be why LGBTQ+/Allies are also 15% more likely to say they want to work with companies that are more supportive of LGBTQ+ rights. Even though there are reports of microaggressions in the workplace, workers in this region were 35% less likely to say that the state's leadership talked negatively about LGBTQ+ issues.

*Unless otherwise noted, all comparisons for more or less likely are compared to the National results. Regional results are based off of 1,500 respondents (LGBTQ+ and Non-LGBTQ+ responses have been weighted to be age-representative for each audience in each region). National results are based off of 600 respondents representative of each audience (LGBTQ+ vs Non-LGBTQ+).*

**States in the Western region included: Alaska, California, Colorado, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming.**

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# Current Legal Status of LGBTQ+ People in Nevada

## Legal status of the Lesbian, Gay and Bisexual Community

Statewide legislation in Nevada expressly protects LGBTQ+ individuals. Specifically, Nevada includes sexual orientation and gender identity and expression as protected classes under its employment, public accommodations, and housing nondiscrimination laws.

People who work in the foster care system must have training on working with LGBTQ+ youths.

Any adult or any married couple can adopt a child in Nevada.

It is a category B felony for a person who has tested positive for HIV to intentionally, knowingly, or willfully engage in conduct in a manner that is intended or likely to transmit the disease to another person, without that person's consent.

Though prostitution is legal for licensed houses of prostitution in select counties in Nevada, it's a category B felony for someone who is HIV-positive, regardless of being licensed, to engage in it.

Nevada prisons can isolate HIV-positive inmates from the general community if they have engaged in behaviors that increase the risk of transmitting the disease, such as battery, sexual activity, illegal intravenous injection of a controlled substance or a dangerous drug, or receiving or giving tattoos.

There are hate crimes protections for LGBTQ+ people in Nevada.

Licensed clinicians are prohibited from offering conversion therapy to minors in Nevada.

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## Legal Status of the Transgender Community

People wishing to change their names for the sake of a gender transition in Nevada must petition the district court but they are not required to submit a publication notice, which is mandatory under any other name-change circumstances.

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To change the gender markers on a birth certificate, an applicant must submit their own notarized affidavit and a supplemental one from a person who can attest to the permanence of the gender transition.

Changing the gender markers on a driver's license simply requires filling out a form and a small fee of \$8-9 dollars.

Public schools are required to have a policy that lays out exactly how it establishes a safe and respectful learning environment for LGBTQ+ students, including mandatory staff trainings on gender identity and bullying prevention.

Nevada Medicaid covers medically necessary services for the diagnosis and treatment of gender dysphoria, including gender confirmation surgery, hormone therapy prescriptions, and mental health services.

State employee health plans cover trans healthcare.

Insurance companies are required to provide coverage for medically necessary covered services regardless of a covered person's gender identity or expression. Additionally, Nevada has implemented sexual orientation and gender identity nondiscrimination laws in private health insurance.

Nevada law states that hate crimes based on a victim's perceived or actual gender identity or expression can lead to up to 20 additional years in prison on top of the punishment for the underlying crime.

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## Government Statements and Actions

Nevada voters will have a chance to add an Equal Rights Amendment to the state Constitution on the 2022 ballot. It would guarantee equal rights, regardless of race, color, creed, sex, sexual orientation, gender identity or expression, age, disability, ancestry or national origin.

Another bill passed in 2021 allows multiple parents to adopt a child, potentially putting more than two parents on a birth certificate. The Nevada legislature introduced bills that would mandate that incarcerated people receive gender-affirming housing, and one that would mandate that insurers cover treatment for gender dysphoria. Both bills failed to pass.

In May 2019, the state created an Advisory Task Force on HIV Exposure Modernization. It was tasked with conducting a comprehensive



examination of the state's statutes and regulations related to the criminalization of HIV exposure. The report was due to the Governor and the Legislative Counsel Bureau by September 1, 2020, and its recommendations were picked up in proposed legislation in the 2021 session. State Sen. Dallas Harris introduced bills that would repeal the statute making HIV transmission a felony and that allowing HIV-positive incarcerated people to be segregated.

Nevada outlawed the "gay panic" defense in May 2019. The state's first two gay mayors were elected in 2016 and 2019 – in two small, rural, conservative communities.

Governor Steve Sisolak became the first governor in the state's history to march in the Las Vegas Pride Parade in October 2019.

# Impact of LGBTQ+ Discrimination on Business Talent

**1** NO RISK

**2** LOW RISK

**3** MODERATE RISK

**4** NOTABLE RISK

**5** HIGH RISK

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## Brand Risk

**1** NO RISK

Companies incur no risk to their brands by operating in Nevada, where there are comprehensive LGBTQ+ inclusive nondiscrimination protections and the state's governor and senators have strong pro-LGBTQ+ records

## Client Risk

**1** NO RISK

There is no risk of LGBTQ+ or strong ally clients pulling their business from companies operating in Nevada in light of the state's business climate or reputation.

## Talent Risk

**1** NO RISK

Nevada has strong legal protections for LGBTQ+ people, making working there attractive to LGBTQ+ professionals.

## Marketing Risk

**1** NO RISK

There is no risk involved in marketing to the LGBTQ+ community in Nevada.

## Future Risk

**1** NO RISK

The state has comprehensive nondiscrimination protections in place and there seems to be a low appetite to pursue discriminatory legislation. We currently see no risk of a future negative event.

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# Socio-cultural Environment of LGBTQ+ People in Nevada

## Status of LGBTQ+ Organizing and Community

The first Las Vegas Pride festival was held in May of 1983. The Southern Nevada Association of Pride, Inc (SNAPI), also known as Las Vegas PRIDE, was established in June of 1992 and began producing the annual Pride celebrations and celebrated its 22nd year in 2019. It went on pandemic hiatus in 2020 and returned fall of 2021. It had increased security after The Center, a Las Vegas-based LGBTQ+ community center facility separate from Pride, was the victim of two instances of vandalism in the months leading up to the event.

Silver State Equality, a statewide LGBTQ+ civil rights organization, was formed in 2019 to advocate for pro-LGBTQ+ state legislation. The organization helped get the "gay/transpanic" defense banned in 2019.

There are also other organizations, particularly in Las Vegas, such as the Trans Pride organization and Gender Justice Nevada, with significant support in Las Vegas, less so in rural areas.

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## Cultural Views of the LGBTQ+ Community

49% of Nevada residents oppose anti-LGBTQ+ religious exemptions for small business owners.

68% of Nevada residents favor LGBTQ+ anti-discrimination legislation.



# Partners

Our partnerships make our work possible. The first State LGBTQ+ Business Climate Index released in 2019 was funded by a grant from the Gill Foundation. The Index is based on data graciously shared by the Movement Advancement Project and the Williams Institute. Ropes & Gray is our pro bono legal partner for the CEO Business Briefs globally, and their research informs this Index. FCB partnered with us to conduct original market research into American attitudes toward LGBTQ+ workplace inclusion, informing the Regional Context section of the State CEO Briefs. America Competes supported the development of the scoring for the Risk Assessments, particularly for the Future Risk score.

