

SENATE BILL NO. 172—SENATOR RAWSON

FEBRUARY 15, 2001

Referred to Committee on Judiciary

SUMMARY—Removes limitation on number of firearms for which permit to carry concealed firearm may be issued. (BDR 15-886)

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

~

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

AN ACT relating to weapons; removing the limitation on the number of firearms for which a permit to carry concealed firearms may be issued; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 202.3657 is hereby amended to read as follows:
2 202.3657 1. Any person may apply to the sheriff of the county in
3 which he resides for a permit on a form prescribed by regulation of the
4 department. Application forms for permits must be furnished by the sheriff
5 of each county upon request.
6 2. Except as otherwise provided in this section, the sheriff shall issue a
7 permit for ~~no more than two~~ *one or more* specific firearms to any person
8 who is qualified to possess a firearm under state and federal law, who
9 submits an application in accordance with the provisions of this section and
10 who:
11 (a) Is a resident of this state;
12 (b) Is 21 years of age or older;
13 (c) Is not prohibited from possessing a firearm pursuant to NRS
14 202.360; and
15 (d) Demonstrates competence with a firearm by presenting a certificate
16 or other documentation to the sheriff which shows that he:
17 (1) Successfully completed a course in firearm safety approved by a
18 sheriff in this state; or
19 (2) Successfully completed a course in firearm safety offered by a
20 federal, state or local law enforcement agency, community college,
21 university or national organization that certifies instructors in firearm
22 safety.



1 Such a course must include instruction in the use of each firearm to which
2 the application pertains and in the laws of this state relating to the ~~proper~~
3 use of a firearm. A sheriff may not approve a course in firearm safety
4 pursuant to subparagraph (1) unless he determines that the course meets
5 any standards that are established by the Nevada Sheriffs and Chiefs
6 Association, or if the Nevada Sheriffs and Chiefs Association ceases to
7 exist, its legal successor.

8 3. The sheriff shall deny an application or revoke a permit if he
9 determines that the applicant or permittee:

- 10 (a) Has an outstanding warrant for his arrest.
11 (b) Has been judicially declared incompetent or insane.
12 (c) Has been voluntarily or involuntarily admitted to a mental health
13 facility during the immediately preceding 5 years.

14 (d) Has habitually used intoxicating liquor or a controlled substance to
15 the extent that his normal faculties are impaired. For the purposes of this
16 paragraph, it is presumed that a person has so used intoxicating liquor or a
17 controlled substance if, during the immediately preceding 5 years, he has
18 been:

- 19 (1) Convicted of violating the provisions of NRS 484.379; or
20 (2) Committed for treatment pursuant to NRS 458.290 to 458.350,
21 inclusive.

22 (e) Has been convicted of a crime involving the use or threatened use of
23 force or violence punishable as a misdemeanor under the laws of this or
24 any other state, or a territory or possession of the United States at any time
25 during the immediately preceding 3 years.

26 (f) Has been convicted of a felony in this state or under the laws of any
27 state, territory or possession of the United States.

28 (g) Has been convicted of a crime involving domestic violence or
29 stalking, or is currently subject to a restraining order, injunction or other
30 order for protection against domestic violence.

31 (h) Is currently on parole or probation from a conviction obtained in this
32 state or in any other state or territory or possession of the United States.

33 (i) Has, within the immediately preceding 5 years, been subject to any
34 requirements imposed by a court of this state or of any other state or
35 territory or possession of the United States, as a condition to the court's:

36 (1) Withholding of the entry of judgment for his conviction of a
37 felony; or

38 (2) Suspension of his sentence for the conviction of a felony.

39 (j) Has made a false statement on any application for a permit or for the
40 renewal of a permit.

41 4. The sheriff may deny an application or revoke a permit if he
42 receives a sworn affidavit stating articulable facts based upon personal
43 knowledge from any natural person who is 18 years of age or older that the
44 applicant or permittee has or may have committed an offense or engaged in
45 any other activity specified in subsection 3 which would preclude the
46 issuance of a permit to the applicant or require the revocation of a permit
47 pursuant to this section.

48 5. If the sheriff receives notification submitted by a court or law
49 enforcement agency of this or any other state, the United States , or a



1 territory or possession of the United States that a permittee or an applicant
2 for a permit has been charged with a crime involving the use or threatened
3 use of force or violence, the conviction for which would require the
4 revocation of a permit or preclude the issuance of a permit to the applicant
5 pursuant to this section, the sheriff shall suspend the person's permit or the
6 processing of his application until the final disposition of the charges
7 against him. If a permittee is acquitted of the charges against him, or if the
8 charges are dropped, the sheriff shall restore his permit without imposing a
9 fee.

10 6. An application submitted pursuant to this section must be completed
11 and signed under oath by the applicant. The applicant's signature must be
12 witnessed by an employee of the sheriff or notarized by a notary public.
13 The application must include:

14 (a) The name, address, place and date of birth, social security number,
15 occupation and employer of the applicant , and any other names used by
16 the applicant;

17 (b) A complete set of the applicant's fingerprints taken by the sheriff or
18 his agent;

19 (c) A front-view colored photograph of the applicant taken by the
20 sheriff or his agent;

21 (d) The applicant's driver's license number or identification card
22 number issued by the department;

23 (e) The make, model and caliber of each firearm to which the
24 application pertains;

25 (f) A nonrefundable fee in the amount necessary to obtain the report
26 required pursuant to subsection 1 of NRS 202.366; and

27 (g) A nonrefundable fee set by the sheriff not to exceed \$60.

28 **Sec. 2.** NRS 202.366 is hereby amended to read as follows:

29 202.366 1. Upon receipt by a sheriff of an application for a permit,
30 the sheriff shall conduct an investigation of the applicant to determine if he
31 is eligible for a permit. In conducting the investigation, the sheriff shall
32 forward a complete set of the applicant's fingerprints to the central
33 repository for Nevada records of criminal history and the Federal Bureau
34 of Investigation for a report concerning the criminal history of the
35 applicant. The sheriff shall issue a permit to the applicant unless he is not
36 qualified to possess a handgun pursuant to state or federal law or is not
37 otherwise qualified to obtain a permit pursuant to NRS 202.3653 to
38 202.369, inclusive, or the regulations adopted pursuant thereto.

39 2. To assist the sheriff in conducting his investigation, any local law
40 enforcement agency, including the sheriff of any county, may voluntarily
41 submit to the sheriff a report or other information concerning the criminal
42 history of an applicant.

43 3. Within 120 days after a complete application for a permit is
44 submitted, the sheriff to whom the application is submitted shall grant or
45 deny the application. If the application is denied, the sheriff shall send the
46 applicant written notification setting forth the reasons for the denial. If the
47 application is granted, the sheriff shall provide the applicant with a permit
48 containing a colored photograph of the applicant and containing such other



* S B 1 7 2 *

1 information as may be prescribed by the department. The permit must be in
2 substantially the following form:

3
4 NEVADA CONCEALED FIREARM PERMIT

5
6 County Permit Number.....
7 Expires Date of Birth
8 Height..... Weight.....
9 Name Address
10 City..... Zip.....

11
12 Photograph

13
14 Signature
15 Issued by.....
16 Date of Issue.....
17 Make, model and caliber of ~~firearm~~ each authorized ~~firearm~~.....
18

19 4. Unless suspended or revoked by the sheriff who issued the permit, a
20 permit expires on the fifth anniversary of the permittee's birthday,
21 measured from the birthday nearest the date of issuance or renewal. If the
22 date of birth of a permittee is on February 29 in a leap year, for the
23 purposes of NRS 202.3653 to 202.369, inclusive, his date of birth shall be
24 deemed to be on February 28.

25 **Sec. 3.** A person who has a permit to carry a concealed firearm in this
26 state that was issued before October 1, 2001, and who wishes to carry any
27 firearm that is not listed on his current permit must:

- 28 1. Obtain a new permit from the sheriff; and
29 2. Pay to the sheriff the fee prescribed for obtaining a duplicate permit
30 pursuant to NRS 202.367, unless he is renewing his permit pursuant to
31 NRS 202.3677, in which case he must pay the fee prescribed for renewal of
32 a permit pursuant to NRS 202.3677.

