

Amendment No. 492

Assembly Amendment to Assembly Bill No. 232

(BDR 15-301)

Proposed by: Committee on Judiciary**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN a 2/3s majority vote requirement for final passage of AB232 (§ 1).

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend section 1, page 2, line 12, by deleting “*required fee*” and inserting:

“*fee required pursuant to subsection 3*”.

Amend sec. 2, page 2, by deleting lines 20 through 36 and inserting:

“202.253 As used in NRS 202.253 to 202.369, inclusive ~~[-]~~, *and section 1 of this act:*

1. “Explosive or incendiary device” means any explosive or incendiary material or substance that has been constructed, altered, packaged or arranged in such a manner that its ordinary use would cause destruction or injury to life or property.

2. “Firearm” means any device designed to be used as a weapon from which a projectile may be expelled through the barrel by the force of any explosion or other form of combustion.

MSN/RBL

Date: 4/19/2005

A.B. No. 232—Revises provisions concerning concealed weapons and firearms.

3. “Firearm capable of being concealed upon the person” applies to and includes all firearms having a barrel less than 12 inches in length.

4. “Motor vehicle” means every vehicle that is self-propelled.”.

Amend sec. 3, page 4, by deleting lines 16 through 19 and inserting:

“use a machine gun or silencer pursuant to federal law. The burden of establishing federal licensure, authorization or permission is upon the person possessing the license, authorization or permission.”.

Amend sec. 3, page 4, by deleting lines 25 through 27 and inserting:

“(a) “Concealed weapon” means a weapon described in this section that is carried upon a person in such a manner as not to be discernable by”.

Amend sec. 3, page 5, by deleting lines 16 and 17.

Amend sec. 4, page 5, by deleting lines 19 through 29 and inserting:

“202.3653 As used in NRS 202.3653 to 202.369, inclusive, *and section 1 of this act*, unless the context otherwise requires:

1. “Concealed firearm” means a loaded or unloaded pistol, revolver or other firearm which is carried upon a person in such a manner as not to be discernible by ordinary observation.

2. “Department” means the Department of Public Safety.

3. “Permit” means a permit to carry a concealed firearm issued pursuant to the provisions of NRS 202.3653 to 202.369, inclusive ~~[]~~, *and section 1 of this act*.”.

Amend the bill as a whole by adding a new section designated sec. 8, following sec. 7, to read as follows:

“**Sec. 8.** This bill becomes effective upon passage and approval.”.

Amend the title of the bill by deleting the fourth and fifth lines and inserting “circumstances;”.

Amend the summary of the bill to read as follows:

“SUMMARY—Authorizes certain law enforcement officers and retired law enforcement officers to carry certain concealed firearms and weapons in certain circumstances.
(BDR 15-301)”.

**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

In 2004, Congress passed the Law Enforcement Officers Safety Act to allow certain current law enforcement officers and retired law enforcement officers who meet certain qualifications to carry certain concealed firearms and weapons in other states. (18 U.S.C. §§ 926B, 926C) The federal Act applies notwithstanding any other provision of state law. However, the federal Act does not preempt state laws that regulate the possession of concealed firearms and weapons on an individual's private property and governmental property. (18 U.S.C. § 926C) One of the requirements for a law enforcement officer to qualify under the federal Act to carry a concealed firearm or weapon is that the officer carry certain identification which is obtained from the agency from which the officer is employed or retired. If the officer is retired, he may obtain a certification in addition to such identification from the state in which the officer resides indicating that the officer meets certain training and qualifications. (18 U.S.C. § 926C(d)) Existing state law regulates the possession and carrying of concealed weapons in this State. (NRS 202.253-202.369)

This bill amends state law to comply with the Law Enforcement Officers Safety Act. This bill provides that a law enforcement officer or retired law enforcement officer who is authorized by the federal Act to carry a concealed weapon or firearm is not prohibited by state law from doing so. In addition, this bill authorizes a sheriff to provide the certification to a retired law enforcement officer that is necessary to become a qualified retired law enforcement officer under the federal Act.