

ASSEMBLY BILL NO. 107—ASSEMBLYMAN ATKINSON (BY REQUEST)

FEBRUARY 14, 2007

Referred to Committee on Judiciary

SUMMARY—Revises the provisions governing the possession of weapons at certain locations. (BDR 15-764)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: No.

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

AN ACT relating to weapons; prohibiting the possession of certain dangerous weapons on the property of the Nevada System of Higher Education or a school and in a school vehicle; prohibiting the possession of certain weapons at an activity sponsored by a school; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prohibits the possession of certain weapons on the property of the Nevada System of Higher Education or a private or public school or while in a vehicle of a private or public school. (NRS 202.265) A person who possesses a prohibited weapon is guilty of a gross misdemeanor. Additionally, a person who commits a gross misdemeanor on the property of a private or public school, at an activity sponsored by a private or public school, on a school bus or at a bus stop must be punished by imprisonment in the county jail for not fewer than 15 days and may be punished by a fine of not more than \$2,000. (NRS 193.1605)

This bill adds items to the list of prohibited weapons and provides that a person must not carry or possess a prohibited weapon at an activity sponsored by a private or public school. This bill further prohibits a person from carrying certain dangerous knives on school property during school hours or in a school vehicle. This bill provides an exception for carrying a knife if necessary for an employee to perform his job or if the knife is provided for use in a class or as part of a program.



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

- 1 **Section 1.** NRS 202.265 is hereby amended to read as follows:
2 202.265 1. Except as otherwise provided in this section, a
3 person shall not carry or possess, while on the property of the
4 Nevada System of Higher Education or a private or public school or
5 while in a vehicle of a private or public school:
6 (a) An explosive or incendiary device;
7 (b) A dirk, dagger or switchblade knife;
8 (c) A nunchaku or trefoil;
9 (d) A blackjack or billy club or metal knuckles; ~~or~~
10 (e) *A sword;*
11 (f) *An ax or hatchet;*
12 (g) *A machete;*
13 (h) A pistol, revolver or other firearm ~~or~~ ; or
14 (i) *Other deadly weapon.*
15 2. *Except as otherwise provided in this section, a person shall*
16 *not carry or possess any of the items set forth in subsection 1 at an*
17 *activity sponsored by a private or public school.*
18 3. *Except as otherwise provided in this subsection, a person*
19 *shall not knowingly carry or possess a dangerous knife while on*
20 *the property of a private or public school during school hours or*
21 *while in a vehicle of a private or public school. This subsection*
22 *does not prohibit a person from carrying or possessing a knife in*
23 *such situations if the person is:*
24 (a) *An employee of the school, if a knife is necessary to*
25 *perform the functions of his job.*
26 (b) *A pupil who is enrolled in a class or program in which a*
27 *knife must be used, so long as the knife is provided to the pupil by*
28 *the teacher of the class or the person responsible for the program*
29 *for use in the class or as part of the program.*
30 4. Any person who violates ~~subsection 1~~ *this section* is guilty
31 of a gross misdemeanor.
32 ~~3.~~ 5. This section does not prohibit the possession of a
33 weapon listed in ~~subsection 1~~ *this section* on the property of a
34 private or public school by a:
35 (a) Peace officer;
36 (b) School security guard; or
37 (c) Person having written permission from the president of a
38 branch or facility of the Nevada System of Higher Education or the
39 principal of the school to carry or possess the weapon.
40 ~~4.~~ 6. For the purposes of this section:
41 (a) *“Dangerous knife” means a knife having a blade that is 2*
42 *inches or more in length when measured from the tip of the knife*



which is customarily sharpened to the unsharpened extension of the blade which forms the hinge connecting the blade to the handle.

(b) "Firearm" includes:

(1) Any device used to mark the clothing of a person with paint or any other substance; and

(2) Any device from which a metallic projectile, including any ball bearing or pellet, may be expelled by means of spring, gas, air or other force.

~~(b)~~ (c) "Nunchaku" has the meaning ascribed to it in NRS 202.350.

~~(c)~~ (d) "Switchblade knife" has the meaning ascribed to it in NRS 202.350.

~~(d)~~ (e) "Trefoil" has the meaning ascribed to it in NRS 202.350.

~~(e)~~ (f) "Vehicle" has the meaning ascribed to "school bus" in NRS 484.148.

Sec. 2. NRS 202.3673 is hereby amended to read as follows:

202.3673 1. Except as otherwise provided in subsections 2 and 3, a permittee may carry a concealed firearm while he is on the premises of any public building.

2. A permittee shall not carry a concealed firearm while he is on the premises of a public building that is located on the property of a public airport.

3. A permittee shall not carry a concealed firearm while he is on the premises of:

(a) A public building that is located on the property of a public school or the property of the Nevada System of Higher Education, unless the permittee has obtained written permission to carry a concealed firearm while he is on the premises of the public building pursuant to paragraph (c) of subsection ~~4~~ 5 of NRS 202.265.

(b) A public building that has a metal detector at each public entrance or a sign posted at each public entrance indicating that no firearms are allowed in the building, unless the permittee is not prohibited from carrying a concealed firearm while he is on the premises of the public building pursuant to subsection 4.

4. The provisions of paragraph (b) of subsection 3 do not prohibit:

(a) A permittee who is a judge from carrying a concealed firearm in the courthouse or courtroom in which he presides or from authorizing a permittee to carry a concealed firearm while in the courtroom of the judge and while traveling to and from the courtroom of the judge.

(b) A permittee who is a prosecuting attorney of an agency or political subdivision of the United States or of this State from



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1 carrying a concealed firearm while he is on the premises of a public
2 building.

3 (c) A permittee who is employed in the public building from
4 carrying a concealed firearm while he is on the premises of the
5 public building.

6 (d) A permittee from carrying a concealed firearm while he is on
7 the premises of the public building if the permittee has received
8 written permission from the person in control of the public building
9 to carry a concealed firearm while the permittee is on the premises
10 of the public building.

11 5. A person who violates subsection 2 or 3 is guilty of a
12 misdemeanor.

13 6. As used in this section, "public building" means any
14 building or office space occupied by:

15 (a) Any component of the Nevada System of Higher Education
16 and used for any purpose related to the System; or

17 (b) The Federal Government, the State of Nevada or any county,
18 city, school district or other political subdivision of the State of
19 Nevada and used for any public purpose.

20 ➤ If only part of the building is occupied by an entity described in
21 this subsection, the term means only that portion of the building
22 which is so occupied.

23 **Sec. 3.** This act becomes effective on July 1, 2007.

