

Amendment No. 244

Senate Amendment to Senate Bill No. 92 (BDR S-45)

Proposed by: Senate Committee on Government Affairs**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) ***green bold*** is newly added transitory language.

EGO



Date: 4/19/2007

S.B. No. 92—Revises the applicability of certain provisions pertaining to the regulation of firearms by local governments. (BDR S-45)



SENATE BILL NO. 92—SENATORS LEE, HARDY, HECK, BEERS, CEGAVSKE, CARE,
COFFIN, MCGINNESS AND WOODHOUSE

FEBRUARY 15, 2007

JOINT SPONSORS: ASSEMBLYMEN ANDERSON, PARKS, GANSERT, ALLEN,
MORTENSON, BEERS, BOBZIEN, CHRISTENSEN, CLABORN, DENIS,
GOICOECHEA, GRADY, HARDY, KOIVISTO, MANENDO, MARVEL,
OHRENSCHALL, SETTELMAYER AND STEWART

Referred to Committee on Government Affairs

SUMMARY—Revises ~~the applicability of~~ certain provisions pertaining to the
regulation of firearms by local governments. (BDR ~~IS~~ 20-45)

FISCAL NOTE: Effect on Local Government: No.
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 firearms; revising ~~the applicability of~~ certain provisions
pertaining to the regulation of firearms by local governments; and
providing other matters properly relating thereto.

Legislative Counsel's Digest:

Assembly Bill No. 147 of the 1989 Legislative Session (Chapter 308, Statutes of Nevada 1989, p. 653) reserved for the Legislature the rights and powers necessary to regulate the transfer, sale, purchase, possession, ownership, transportation, registration and licensing of firearms and ammunition in this State. However, section 5 of Assembly Bill No. 147 provided that the preemptive effect of the bill applied only to ordinances or regulations adopted by local governments on or after June 13, 1989. This bill ~~amends that section to include and preempt~~ **requires the amendment of** ordinances or regulations adopted by local governments before June 13, 1989 ~~to~~ **, that require registration of a firearm capable of being concealed to impose: (1) a period of at least 60 days of residency in the jurisdiction before registration of such a firearm is required; and (2) a period of at least 72 hours for the registration of a pistol by a resident of the jurisdiction upon transfer of title to the pistol to the resident by purchase, gift or any other transfer.**

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

Section 1. NRS 244.364 is hereby amended to read as follows:
244.364 1. Except as otherwise provided by specific statute, the Legislature
reserves for itself such rights and powers as are necessary to regulate the transfer,

1 sale, purchase, possession, ownership, transportation, registration and licensing of
2 firearms and ammunition in Nevada, and no county may infringe upon those rights
3 and powers.

4 2. A board of county commissioners may proscribe by ordinance or regulation
5 the unsafe discharge of firearms.

6 3. If a board of county commissioners in a county whose population is
7 400,000 or more has required by ordinance or regulation adopted before June 13,
8 1989, the registration of a firearm capable of being concealed, the board of
9 county commissioners shall amend such an ordinance or regulation to require:

10 (a) A period of at least 60 days of residency in the county before registration
11 of such a firearm is required.

12 (b) A period of at least 72 hours for the registration of a pistol by a resident
13 of the county upon transfer of title to the pistol to the resident by purchase, gift or
14 any other transfer.

15 4. As used in this section ~~{, "firearm"}~~ :

16 (a) "Firearm" means any weapon from which a projectile is discharged by
17 means of an explosive, spring, gas, air or other force.

18 (b) "Firearm capable of being concealed" includes all firearms having a
19 barrel less than 12 inches in length.

20 (c) "Pistol" means a firearm capable of being concealed that is intended to
21 be aimed and fired with one hand.

22 Sec. 2. NRS 268.418 is hereby amended to read as follows:

23 268.418 1. Except as otherwise provided by specific statute, the Legislature
24 reserves for itself such rights and powers as are necessary to regulate the transfer,
25 sale, purchase, possession, ownership, transportation, registration and licensing of
26 firearms and ammunition in Nevada, and no city may infringe upon those rights and
27 powers.

28 2. The governing body of a city may proscribe by ordinance or regulation the
29 unsafe discharge of firearms.

30 3. If the governing body of a city in a county whose population is 400,000 or
31 more has required by ordinance or regulation adopted before June 13, 1989, the
32 registration of a firearm capable of being concealed, the governing body shall
33 amend such an ordinance or regulation to require:

34 (a) A period of at least 60 days of residency in the city before registration of
35 such a firearm is required.

36 (b) A period of at least 72 hours for the registration of a pistol by a resident
37 of the city upon transfer of title to the pistol to the resident by purchase, gift or
38 any other transfer.

39 4. As used in this section ~~{, "firearm"}~~ :

40 (a) "Firearm" means any weapon from which a projectile is discharged by
41 means of an explosive, spring, gas, air or other force.

42 (b) "Firearm capable of being concealed" includes all firearms having a
43 barrel less than 12 inches in length.

44 (c) "Pistol" means a firearm capable of being concealed that is intended to
45 be aimed and fired with one hand.

46 Sec. 3. NRS 269.222 is hereby amended to read as follows:

47 269.222 1. Except as otherwise provided by specific statute, the Legislature
48 reserves for itself such rights and powers as are necessary to regulate the transfer,
49 sale, purchase, possession, ownership, transportation, registration and licensing of
50 firearms and ammunition in Nevada, and no town may infringe upon those rights
51 and powers.

52 2. A town board may proscribe by ordinance or regulation the unsafe
53 discharge of firearms.

3. If a town board in a county whose population is 400,000 or more has required by ordinance or regulation adopted before June 13, 1989, the registration of a firearm capable of being concealed, the town board shall amend such an ordinance or regulation to require:

(a) A period of at least 60 days of residency in the town before registration of such a firearm is required.

(b) A period of at least 72 hours for the registration of a pistol by a resident of the town upon transfer of title to the pistol to the resident by purchase, gift or any other transfer.

4. As used in this section, ~~“firearm”~~:

(a) “Firearm” means any weapon from which a projectile is discharged by means of an explosive, spring, gas, air or other force.

(b) “Firearm capable of being concealed” includes all firearms having a barrel less than 12 inches in length.

(c) “Pistol” means a firearm capable of being concealed that is intended to be aimed and fired with one hand.

~~Section 1.~~ Sec. 4. Section 5 of chapter 308, Statutes of Nevada 1989, at page 653, is hereby amended to read as follows:

Sec. 5. ~~The~~

1. Except as otherwise provided in subsection 2, the provisions of this act apply ~~only~~ to ordinances or regulations adopted ~~before,~~ on or after ~~the effective date of this act.~~ June 13, 1989.

2. The provisions of this act, as amended on October 1, 2007, apply to ordinances or regulations adopted before, on or after June 13, 1989.

Sec. 5. A board of county commissioners, governing body of a city and town board in a county whose population is 400,000 or more shall amend any ordinance or regulation adopted by that body before June 13, 1989, that does not conform with the provisions of NRS 244.364, as amended by section 1 of this act, NRS 268.418, as amended by section 2 of this act or NRS 269.222, as amended by section 3 of this act, as applicable, by January 1, 2008. Any ordinance or regulation that does not comply with the applicable provision by January 1, 2008, shall be deemed to conform with that provision by operation of law.