

Assembly Bill No. 253—Assemblymen Cobb, Hambrick; Carpenter, Christensen, Claborn, Gansert, Goedhart, Goicoechea, Grady, Gustavson, Hardy, Hogan, Manendo, McArthur, Mortenson, Ohrenschall, Parnell, Settlemeyer, Stewart and Woodbury

CHAPTER.....

AN ACT relating to crimes; making it a crime to remove the firearm or other weapon of a public officer while resisting, delaying or obstructing the public officer in the discharge of his duties; increasing the penalty for using a firearm in the course of such resistance, delay or obstruction; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that a person who resists, delays or obstructs a public officer in discharging his duties is guilty of a category D felony or a misdemeanor, depending upon whether the person used a dangerous weapon. (NRS 199.280) This bill provides that a person who, during such resistance, delay or obstruction: (1) uses a firearm or intentionally removes or attempts to remove a firearm from a public officer, is guilty of a category C felony; and (2) uses any dangerous weapon, other than a firearm, or intentionally removes or attempts to remove a weapon, other than a firearm, from a public officer, is guilty of a category D felony.

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

Section 1. NRS 199.280 is hereby amended to read as follows:
199.280 A person who, in any case or under any circumstances not otherwise specially provided for, willfully resists, delays or obstructs a public officer in discharging or attempting to discharge any legal duty of his office shall be punished:

1. *Where a firearm is used in the course of such resistance, obstruction or delay, or the person intentionally removes, takes or attempts to remove or take a firearm from the person of, or the immediate presence of, the public officer in the course of such resistance, obstruction or delay, for a category C felony as provided in NRS 193.130.*

2. Where a dangerous weapon , *other than a firearm*, is used in the course of such resistance, obstruction or delay, *or the person intentionally removes, takes or attempts to remove or take a weapon, other than a firearm, from the person of, or the immediate presence of, the public officer in the course of such resistance, obstruction or delay*, for a category D felony as provided in NRS 193.130.



~~12-1~~ 3. Where no dangerous weapon is used in the course of such resistance, obstruction or delay, for a misdemeanor.

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