

Amendment No. 400

Senate Amendment to Senate Bill No. 302

(BDR 42-981)

Proposed by: Senate Committee on Transportation**Amends:** Summary: No Title: No 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 underlining* is newly added transitory language.

MNM/BAW



Date: 4/23/2011

S.B. No. 302—Prohibits the sale of black powder and smokeless gunpowder to certain persons. (BDR 42-981)



SENATE BILL NO. 302—SENATOR HARDY

MARCH 21, 2011

Referred to Committee on Transportation

SUMMARY—Prohibits the sale of black powder and smokeless gunpowder to certain persons. (BDR 42-981)

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 crimes; prohibiting the sale of black powder and smokeless gunpowder to certain persons; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under ~~[certain circumstances,]~~ federal law, ~~[makes]~~ it is a crime for ~~[a person]~~ ***licensed importers, manufacturers, dealers or collectors of firearms or ammunition*** to ~~[knowingly distribute explosive materials, including black powder and smokeless gunpowder,]~~ ***sell or deliver any firearm or ammunition : (1) to a person who the licensee knows or reasonably believes is under 18 years of age; or (2) if the firearm is not a shotgun or rifle or the ammunition is not for use in a shotgun or rifle, to a person who the licensee knows or reasonably believes is under 21 years of age.*** (18 U.S.C. ~~§§ 841, 842;~~ ***§ 922(b)(1)***) This bill similarly makes it unlawful for a person to distribute : ***(1) black powder for smokeless gunpowder to a person who is under 18 years of age; or (2) smokeless gunpowder to a person who is under 18 years of age or, if such smokeless gunpowder is not intended for use in a rifle or shotgun, to a person*** who is under 21 years of age. A person who ~~[commits this crime]~~ ***violates any such provision*** is guilty of a misdemeanor, punishable by a fine of up to \$500.

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

Section 1. Chapter 476 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsection 2, any person who distributes [black] :

(a) Black powder [for smokeless gunpowder] to a person under the age of [21] 18 years ; or

(b) Smokeless gunpowder to a person:

(1) Under the age of 18 years; or

(2) Under the age of 21 years, if the smokeless gunpowder is intended for use other than in a rifle or shotgun,

1 is guilty of a misdemeanor and shall be punished by a fine of not more than
2 \$500.

3 2. A person shall be deemed to be in compliance with the provisions of
4 subsection 1 if, before the person distributes black powder or smokeless
5 gunpowder to another person, the person:

6 (a) Asks the other person to declare the intended use for the black powder or
7 smokeless gunpowder;

8 (b) Demands that the other person present a valid driver's license or other
9 written or documentary evidence which shows that the other person ~~is 21 years~~
10 ~~of age or older;~~ meets the appropriate age requirement set forth in subsection 1;

11 ~~##~~ (c) Is presented a valid driver's license or other written or documentary
12 evidence which shows that the other person ~~is 21 years of age or older;~~ meets
13 the appropriate age requirement set forth in subsection 1; and

14 ~~##~~ (d) Reasonably relies upon the ~~declaration of intended use by the other~~
15 person and the driver's license or other written or documentary evidence
16 presented by the other person.

17 3. As used in this section, "distribute" has the meaning ascribed to it in
18 NRS 476.010.