

SENATE BILL NO. 307—SENATORS GUSTAVSON,
GOICOECHEA; AND SETTELMAYER

MARCH 17, 2017

JOINT SPONSORS: ASSEMBLYMEN TITUS, ELLISON;
MARCHANT, MCARTHUR, PICKARD AND WHEELER

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing concealed weapons.
(BDR 15-198)

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 concealed weapons; removing the prohibition against carrying certain concealed weapons; repealing certain provisions relating to permits to carry concealed firearms; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law establishes provisions governing the issuance of permits to carry
2 concealed firearms to qualified applicants. (NRS 202.3653-202.369) Existing law
3 also generally prohibits a person from carrying concealed upon his or her person
4 any pistol, revolver or other firearm, other dangerous or deadly weapon or
5 pneumatic gun unless the person is authorized to do so because he or she holds a
6 permit to carry a concealed firearm or is otherwise exempt from such a prohibition.
7 (NRS 202.350) **Section 2** of this bill removes the prohibition against carrying such
8 concealed weapons. **Section 9** of this bill repeals the provision which requires a
9 person to have a permit to carry a concealed firearm and repeals certain other
10 provisions concerning permits to carry a concealed firearm.



* S B 3 0 7 *

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

1 **Section 1.** NRS 202.340 is hereby amended to read as follows:

2 202.340 1. Except as otherwise provided for firearms
3 forfeitable pursuant to NRS 453.301, when any instrument or
4 weapon described in NRS 202.350 *or any firearm* is taken from the
5 possession of any person charged with the commission of any public
6 offense or crime or any child charged with committing a delinquent
7 act, the instrument, ~~that~~ weapon *or firearm* must be surrendered to:

8 (a) The head of the police force or department of an
9 incorporated city if the possession thereof was detected by any
10 member of the police force of the city; or

11 (b) The chief administrator of a state law enforcement agency,
12 for disposal pursuant to NRS 333.220, if the possession thereof was
13 detected by any member of the agency.

14 ➔ In all other cases, the instrument, ~~that~~ weapon *or firearm* must
15 be surrendered to the sheriff of the county or the sheriff of the
16 metropolitan police department for the county in which the
17 instrument, ~~that~~ weapon *or firearm* was taken.

18 2. Except as otherwise provided in subsection 5, the governing
19 body of the county or city or the metropolitan police committee on
20 fiscal affairs shall at least once a year order the local law
21 enforcement officer to whom any instrument, ~~that~~ weapon *or*
22 *firearm* is surrendered pursuant to subsection 1 to:

23 (a) Retain the confiscated instrument, ~~that~~ weapon *or firearm*
24 for use by the law enforcement agency headed by the officer;

25 (b) Sell the confiscated instrument, ~~that~~ weapon *or firearm* to
26 another law enforcement agency;

27 (c) Destroy or direct the destruction of the confiscated
28 instrument, ~~that~~ weapon *or firearm* if it is not otherwise required to
29 be destroyed pursuant to subsection 5;

30 (d) Trade the confiscated instrument, ~~that~~ weapon *or firearm* to
31 a properly licensed retailer or wholesaler in exchange for equipment
32 necessary for the performance of the agency's duties; or

33 (e) Donate the confiscated instrument, ~~that~~ weapon *or firearm*
34 to a museum, the Nevada National Guard or, if appropriate, to
35 another person for use which furthers a charitable or public interest.

36 3. All proceeds of a sale ordered pursuant to subsection 2 by:

37 (a) The governing body of a county or city must be deposited
38 with the county treasurer or the city treasurer and the county
39 treasurer or the city treasurer shall credit the proceeds to the general
40 fund of the county or city.

41 (b) A metropolitan police committee on fiscal affairs must be
42 deposited in a fund which was created pursuant to NRS 280.220.



* S B 3 0 7 *

1 4. Any officer receiving an order pursuant to subsection 2 shall
2 comply with the order as soon as practicable.

3 5. Except as otherwise provided in subsection 6, the officer to
4 whom a confiscated instrument , ~~for~~ weapon *or firearm* is
5 surrendered pursuant to subsection 1 shall:

6 (a) Except as otherwise provided in paragraph (c), destroy or
7 direct to be destroyed any instrument , ~~for~~ weapon *or firearm*
8 which is determined to be dangerous to the safety of the public.

9 (b) Except as otherwise provided in paragraph (c), return any
10 instrument , ~~for~~ weapon ~~or~~ *firearm* which has not been
11 destroyed pursuant to paragraph (a):

12 (1) Upon demand, to the person from whom the instrument ,
13 ~~for~~ weapon *or firearm* was confiscated if the person is acquitted of
14 the public offense or crime of which the person was charged; or

15 (2) To the legal owner of the instrument , ~~for~~ weapon *or*
16 *firearm* if the Attorney General or the district attorney determines
17 that the instrument , ~~for~~ weapon *or firearm* was unlawfully
18 acquired from the legal owner. If retention of the instrument , ~~for~~
19 weapon *or firearm* is ordered or directed pursuant to paragraph (c),
20 except as otherwise provided in paragraph (a), the instrument , ~~for~~
21 weapon *or firearm* must be returned to the legal owner as soon as
22 practicable after the order or direction is rescinded.

23 (c) Retain the confiscated instrument , ~~for~~ weapon *or firearm*
24 held by the officer pursuant to an order of a judge of a court of
25 record or by direction of the Attorney General or district attorney
26 that the retention is necessary for purposes of evidence, until the
27 order or direction is rescinded.

28 (d) Return any instrument , ~~for~~ weapon *or firearm* which was
29 stolen to its rightful owner, unless the return is otherwise prohibited
30 by law.

31 6. Before any disposition pursuant to subsection 5, the officer
32 who is in possession of the confiscated instrument , ~~for~~ weapon *or*
33 *firearm* shall submit a full description of the instrument , ~~for~~
34 weapon *or firearm* to a laboratory which provides forensic services
35 in this State. The director of the laboratory shall determine whether
36 the instrument , ~~for~~ weapon ~~or~~ *firearm*:

37 (a) Must be sent to the laboratory for examination as part of a
38 criminal investigation; or

39 (b) Is a necessary addition to a referential collection maintained
40 by the laboratory for purposes relating to law enforcement.

41 **Sec. 2.** NRS 202.350 is hereby amended to read as follows:

42 202.350 1. Except as otherwise provided in this section , ~~and~~
43 ~~NRS 202.3653 to 202.369, inclusive,~~ a person within this State
44 shall not:



(a) Manufacture or cause to be manufactured, or import into the State, or keep, offer or expose for sale, or give, lend or possess any instrument or weapon of the kind commonly known as a blackjack, slungshot, billy, sand-club, sandbag or metal knuckles;

(b) Manufacture or cause to be manufactured, or import into the State, or keep, offer or expose for sale, or give, lend, possess or use a machine gun or a silencer, unless authorized by federal law;

(c) With the intent to inflict harm upon the person of another, possess or use a nunchaku or trefoil; or

(d) Carry concealed upon his or her person any:

(1) Explosive substance, other than ammunition or any components thereof; *or*

(2) Machete. ~~†; or~~

~~— (3) Pistol, revolver or other firearm, other dangerous or deadly weapon or pneumatic gun. †~~

2. Except as otherwise provided in NRS 202.275 and 212.185, a person who violates any of the provisions of:

(a) Paragraph (a) or (c) of subsection 1 or subparagraph (2) of paragraph (d) of subsection 1 is guilty:

(1) For the first offense, of a gross misdemeanor.

(2) For any subsequent offense, of a category D felony and shall be punished as provided in NRS 193.130.

(b) Paragraph (b) of subsection 1 or subparagraph (1) ~~†or (3)†~~ of paragraph (d) of subsection 1 is guilty of a category C felony and shall be punished as provided in NRS 193.130.

3. Except as otherwise provided in this subsection, the sheriff of any county may, upon written application by a resident of that county showing the reason or the purpose for which a concealed weapon is to be carried, issue a permit authorizing the applicant to carry in this State the concealed weapon described in the permit. ~~†This subsection does not authorize the sheriff to issue a permit to a person to carry a pistol, revolver or other firearm.†~~

4. Except as otherwise provided in subsection 5, this section does not apply to:

(a) Sheriffs, constables, marshals, peace officers, correctional officers employed by the Department of Corrections, special police officers, police officers of this State, whether active or honorably retired, or other appointed officers.

(b) Any person summoned by any peace officer to assist in making arrests or preserving the peace while the person so summoned is actually engaged in assisting such an officer.

(c) Any full-time paid peace officer of an agency of the United States or another state or political subdivision thereof when carrying out official duties in the State of Nevada.



(d) Members of the Armed Forces of the United States when on duty.

5. The exemptions provided in subsection 4 do not include a former peace officer who is retired for disability unless his or her former employer has approved his or her fitness to carry a concealed weapon.

6. The provisions of paragraph (b) of subsection 1 do not apply to any person who is licensed, authorized or permitted to possess or 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.

7. This section shall not be construed to prohibit a qualified law enforcement officer or a qualified retired law enforcement officer from carrying a concealed weapon in this State if he or she is authorized to do so pursuant to 18 U.S.C. § 926B or 926C.

8. As used in this section:

(a) "Concealed weapon" means a weapon described in this section that is carried upon a person in such a manner as not to be discernible by ordinary observation.

(b) "Honorably retired" means retired in Nevada after completion of 10 years of creditable service as a member of the Public Employees' Retirement System. A former peace officer is not "honorably retired" if he or she was discharged for cause or resigned before the final disposition of allegations of serious misconduct.

(c) "Machine gun" means any weapon which shoots, is designed to shoot or can be readily restored to shoot more than one shot, without manual reloading, by a single function of the trigger.

(d) "Nunchaku" means an instrument consisting of two or more sticks, clubs, bars or rods connected by a rope, cord, wire or chain used as a weapon in forms of Oriental combat.

~~(e) "Pneumatic gun" has the meaning ascribed to it in NRS 202.265.~~

~~(f)~~ "Qualified law enforcement officer" has the meaning ascribed to it in 18 U.S.C. § 926B(c).

~~(g)~~ (f) "Qualified retired law enforcement officer" has the meaning ascribed to it in 18 U.S.C. § 926C(c).

~~(h)~~ (g) "Silencer" means any device for silencing, muffling or diminishing the report of a firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a silencer or muffler, and any part intended only for use in such assembly or fabrication.

~~(i)~~ (h) "Trefoil" means an instrument consisting of a metal plate having three or more radiating points with sharp edges,



designed in the shape of a star, cross or other geometric figure and used as a weapon for throwing.

Sec. 3. NRS 33.018 is hereby amended to read as follows:

33.018 1. Domestic violence occurs when a person commits one of the following acts against or upon the person's spouse or former spouse, any other person to whom the person is related by blood or marriage, any other person with whom the person is or was actually residing, any other person with whom the person has had or is having a dating relationship, any other person with whom the person has a child in common, the minor child of any of those persons, the person's minor child or any other person who has been appointed the custodian or legal guardian for the person's minor child:

(a) A battery.

(b) An assault.

(c) Compelling the other person by force or threat of force to perform an act from which the other person has the right to refrain or to refrain from an act which the other person has the right to perform.

(d) A sexual assault.

(e) A knowing, purposeful or reckless course of conduct intended to harass the other person. Such conduct may include, but is not limited to:

(1) Stalking.

(2) Arson.

(3) Trespassing.

(4) Larceny.

(5) Destruction of private property.

(6) ~~Carrying~~ **Unlawfully carrying** a concealed weapon .
~~without a permit.~~

(7) Injuring or killing an animal.

(f) A false imprisonment.

(g) Unlawful entry of the other person's residence, or forcible entry against the other person's will if there is a reasonably foreseeable risk of harm to the other person from the entry.

2. As used in this section, "dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement. The term does not include a casual relationship or an ordinary association between persons in a business or social context.

Sec. 4. NRS 171.1225 is hereby amended to read as follows:

171.1225 1. When investigating an act of domestic violence, a peace officer shall:

(a) Make a good faith effort to explain the provisions of NRS 171.137 pertaining to domestic violence and advise victims of all



1 reasonable means to prevent further abuse, including advising each
2 person of the availability of a shelter or other services in the
3 community.

4 (b) Provide a person suspected of being the victim of an act of
5 domestic violence with a written copy of the following statements:

6 (1) My name is Officer (naming the
7 investigating officer). Nevada law requires me to inform you of the
8 following information.

9 (2) If I have probable cause to believe that a battery has been
10 committed against you, your minor child or the minor child of the
11 person believed to have committed the battery in the last 24 hours
12 by your spouse, your former spouse, any other person to whom you
13 are related by blood or marriage, a person with whom you are or
14 were actually residing, a person with whom you have had or are
15 having a dating relationship or a person with whom you have a child
16 in common, I am required, unless mitigating circumstances exist, to
17 arrest the person suspected of committing the battery.

18 (3) If I am unable to arrest the person suspected of
19 committing the battery, you have the right to request that the
20 prosecutor file a criminal complaint against the person. I can
21 provide you with information on this procedure. If convicted, the
22 person who committed the battery may be placed on probation,
23 ordered to see a counselor, put in jail or fined.

24 (4) The law provides that you may seek a court order for the
25 protection of you, your minor children or any animal that is owned
26 or kept by you, by the person who committed or threatened the act
27 of domestic violence or by the minor child of either such person
28 against further threats or acts of domestic violence. You do not need
29 to hire a lawyer to obtain such an order for protection.

30 (5) An order for protection may require the person who
31 committed or threatened the act of domestic violence against you to:

32 (I) Stop threatening, harassing or injuring you or your
33 children;

34 (II) Move out of your residence;

35 (III) Stay away from your place of employment;

36 (IV) Stay away from the school attended by your
37 children;

38 (V) Stay away from any place you or your children
39 regularly go;

40 (VI) Avoid or limit all communication with you or your
41 children;

42 (VII) Stop physically injuring, threatening to injure or
43 taking possession of any animal that is owned or kept by you or
44 your children, either directly or through an agent; and



(VIII) Stop physically injuring or threatening to injure any animal that is owned or kept by the person who committed or threatened the act or his or her children, either directly or through an agent.

(6) A court may make future orders for protection which award you custody of your children and require the person who committed or threatened the act of domestic violence against you to:

(I) Pay the rent or mortgage due on the place in which you live;

(II) Pay the amount of money necessary for the support of your children;

(III) Pay part or all of the costs incurred by you in obtaining the order for protection; and

(IV) Comply with the arrangements specified for the possession and care of any animal owned or kept by you or your children or by the person who committed or threatened the act or his or her children.

(7) To get an order for protection, go to room number (state the room number of the office at the court) at the court, which is located at (state the address of the court). Ask the clerk of the court to provide you with the forms for an order of protection.

(8) If the person who committed or threatened the act of domestic violence against you violates the terms of an order for protection, the person may be arrested and, if:

(I) The arresting officer determines that such a violation is accompanied by a direct or indirect threat of harm;

(II) The person has previously violated a temporary or extended order for protection; or

(III) At the time of the violation or within 2 hours after the violation, the person has a concentration of alcohol of 0.08 or more in the person's blood or breath or an amount of a prohibited substance in the person's blood or urine that is equal to or greater than the amount set forth in subsection 3 of NRS 484C.110,

→ the person will not be admitted to bail sooner than 12 hours after arrest.

(9) You may obtain emergency assistance or shelter by contacting your local program against domestic violence at (state name, address and telephone number of local program) or you may call, without charge to you, the Statewide Program Against Domestic Violence at (state toll-free telephone number of Statewide Program).

2. The failure of a peace officer to carry out the requirements set forth in subsection 1 is not a defense in a criminal prosecution for the commission of an act of domestic violence, nor may such an



omission be considered as negligence or as causation in any civil action against the peace officer or the officer's employer.

3. As used in this section:

(a) "Act of domestic violence" means any of the following acts committed by a person against his or her spouse, former spouse, any other person to whom he or she is related by blood or marriage, a person with whom he or she is or was actually residing, a person with whom he or she has had or is having a dating relationship, a person with whom he or she has a child in common, the minor child of any of those persons or his or her minor child:

(1) A battery.

(2) An assault.

(3) Compelling the other by force or threat of force to perform an act from which he or she has the right to refrain or to refrain from an act which he or she has the right to perform.

(4) A sexual assault.

(5) A knowing, purposeful or reckless course of conduct intended to harass the other. Such conduct may include, but is not limited to:

(I) Stalking.

(II) Arson.

(III) Trespassing.

(IV) Larceny.

(V) Destruction of private property.

(VI) ~~Carrying~~ *Unlawfully carrying* a concealed weapon. ~~without a permit.~~

(VII) Injuring or killing an animal.

(6) False imprisonment.

(7) Unlawful entry of the other's residence, or forcible entry against the other's will if there is a reasonably foreseeable risk of harm to the other from the entry.

(b) "Dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement. The term does not include a casual relationship or an ordinary association between persons in a business or social context.

Sec. 5. NRS 213.10983 is hereby amended to read as follows:

213.10983 1. A parole or probation officer shall immediately deliver to the Division any seized, abandoned or unclaimed property, other than an instrument or weapon described in NRS 202.350 ~~H~~ *or any firearm*, which the parole or probation officer obtains in the pursuance of his or her duty, unless the parole or probation officer is required to retain the property as evidence pursuant to a court order or directive of the Attorney General or a district attorney. Property retained as evidence must be placed in a secured locker for evidence at a law enforcement agency in this state



1 and when released from evidence must be immediately delivered to
2 the Division.

3 2. The Division shall keep the property for return to the owner
4 and, unless it is contraband, return it to the owner if the owner
5 submits a claim to the Division and establishes his or her ownership
6 within 1 year after the Division comes into possession of it.
7 Contraband includes any property which, if possessed by a parolee
8 or probationer, would constitute a violation of the terms of his or her
9 parole or probation or any federal or state law. Contraband becomes
10 the property of the Division.

11 3. Any contraband consisting of controlled substances or
12 dangerous drugs must be disposed of or destroyed as provided by
13 law.

14 4. If the Division is not able to determine the owner of the
15 property within the 1-year period, the Division acquires title to it
16 and the Chief Parole and Probation Officer shall:

17 (a) Sell the property at a public auction at the same times and
18 places that confiscated instruments , ~~hand~~ weapons *and firearms*
19 are sold; or

20 (b) Retain the property for the official use of the Division.

21 5. The Division shall keep accurate records of all property
22 governed by this section.

23 **Sec. 6.** NRS 213.10985 is hereby amended to read as follows:

24 213.10985 1. A parole or probation officer shall immediately
25 deliver to the Division any seized, abandoned or unclaimed
26 instrument or weapon described in NRS 202.350 *or any firearm*
27 which the parole or probation officer obtains in the pursuance of his
28 or her duty, unless the parole or probation officer is required to
29 retain it as evidence pursuant to a court order or directive of the
30 Attorney General or a district attorney. Property retained as
31 evidence must be placed in a secured locker for evidence at a law
32 enforcement agency in this state and when released from evidence
33 must be immediately delivered to the Division.

34 2. The Division shall:

35 (a) Destroy or direct to be destroyed the instrument , ~~for~~
36 weapon *or firearm* if it is determined to be dangerous to the safety
37 of the public.

38 (b) Return an instrument , ~~for~~ weapon *or firearm* which has not
39 been destroyed pursuant to paragraph (a), upon demand, to any
40 person other than a parolee or probationer:

41 (1) From whom it was confiscated if that person is acquitted
42 of the public offense or crime of which that person was charged; or

43 (2) Who otherwise claims and establishes ownership of it.
44 Any such instrument , ~~for~~ weapon *or firearm* which is not



1 destroyed, returned or claimed within 1 year after the Division
2 comes into possession of it becomes the property of the Division.

3 3. The Chief Parole and Probation Officer shall at least once a
4 year order the officers who have custody of such instruments, ~~and~~
5 weapons *and firearms* that have become the property of the
6 Division to:

7 (a) Retain the ~~instrument or weapon~~ *instruments, weapons*
8 *and firearms* for official use by the Division.

9 (b) Deliver the instruments, ~~and~~ weapons *and firearms* to
10 another custodial officer of the Division to be sold.

11 (c) Sell any such instrument, ~~or~~ weapon *or firearm* to another
12 law enforcement agency at a price not less than its prevailing market
13 value.

14 (d) Sell all unretained and unsold instruments, ~~and~~ weapons
15 *and firearms* at a public auction to be held at least once in each
16 year, after notice of such public auction describing the ~~instrument~~
17 ~~or~~ *instruments*, weapons *and firearms* to be sold is published once
18 a week for 2 weeks immediately preceding the date of the auction in
19 a newspaper of general circulation in the county or city of the sale.

20 4. All proceeds of the sales provided for in subsection 3 must
21 be deposited with the State Treasurer for credit to the State General
22 Fund.

23 5. Any officer receiving an order as provided in subsection 3
24 shall comply with such order as soon as practicable.

25 6. The Division shall keep accurate records of all instruments,
26 ~~and~~ weapons *and firearms* governed by this section.

27 **Sec. 7.** NRS 217.400 is hereby amended to read as follows:

28 217.400 As used in NRS 217.400 to 217.475, inclusive, unless
29 the context otherwise requires:

30 1. "Dating relationship" means frequent, intimate associations
31 primarily characterized by the expectation of affectional or sexual
32 involvement. The term does not include a casual relationship or an
33 ordinary association between persons in a business or social context.

34 2. "Division" means the Division of Child and Family Services
35 of the Department of Health and Human Services.

36 3. "Domestic violence" means:

37 (a) The attempt to cause or the causing of bodily injury to a
38 family or household member or the placing of the member in fear of
39 imminent physical harm by threat of force.

40 (b) Any of the following acts committed by a person against a
41 family or household member, a person with whom he or she had or
42 is having a dating relationship or with whom he or she has a child in
43 common, or upon his or her minor child or a minor child of that
44 person:

45 (1) A battery.



- 1 (2) An assault.
- 2 (3) Compelling the other by force or threat of force to
- 3 perform an act from which he or she has the right to refrain or to
- 4 refrain from an act which he or she has the right to perform.
- 5 (4) A sexual assault.
- 6 (5) A knowing, purposeful or reckless course of conduct
- 7 intended to harass the other. Such conduct may include, without
- 8 limitation:
- 9 (I) Stalking.
- 10 (II) Arson.
- 11 (III) Trespassing.
- 12 (IV) Larceny.
- 13 (V) Destruction of private property.
- 14 (VI) ~~Carrying~~ **Unlawfully carrying** a concealed weapon
- 15 ~~. without a permit.~~
- 16 (6) False imprisonment.
- 17 (7) Unlawful entry of the other's residence, or forcible entry
- 18 against the other's will if there is a reasonably foreseeable risk of
- 19 harm to the other from the entry.
- 20 4. "Family or household member" means a spouse, a former
- 21 spouse, a parent or other adult person who is related by blood or
- 22 marriage or is or was actually residing with the person committing
- 23 the act of domestic violence.
- 24 5. "Participant" means an adult, child or incompetent person
- 25 for whom a fictitious address has been issued pursuant to NRS
- 26 217.462 to 217.471, inclusive.
- 27 6. "Victim of domestic violence" includes the dependent
- 28 children of the victim.
- 29 7. "Victim of human trafficking" means a person who is a
- 30 victim of:
- 31 (a) Involuntary servitude as set forth in NRS 200.463 or
- 32 200.464.
- 33 (b) A violation of any provision of NRS 200.465.
- 34 (c) Trafficking in persons in violation of any provision of NRS
- 35 200.467 or 200.468.
- 36 (d) Sex trafficking in violation of any provision of
- 37 NRS 201.300.
- 38 (e) A violation of NRS 201.320.
- 39 8. "Victim of sexual assault" means a person who has been
- 40 sexually assaulted as defined in NRS 200.366 or a person upon
- 41 whom a sexual assault has been attempted.
- 42 9. "Victim of stalking" means a person who is a victim of the
- 43 crime of stalking or aggravated stalking as set forth in NRS 200.575.



1 **Sec. 8.** NRS 424.044 is hereby amended to read as follows:

2 424.044 1. ~~{A person who is listed in paragraph (a) of~~
3 ~~subsection 4 of NRS 202.350 or holds a permit to carry a concealed~~
4 ~~firearm pursuant to NRS 202.3653 to 202.369, inclusive, may~~
5 ~~possess the firearm, whether loaded or unloaded, or ammunition~~
6 ~~while on the premises of a family foster home in accordance with~~
7 ~~the provisions of this section.~~

8 ~~2.~~ Except as otherwise provided in subsection ~~{4.}~~ 3, a person
9 ~~{described in subsection 1}~~ who possesses a firearm or ammunition
10 while on the premises of a family foster home must store the firearm
11 or ammunition in a locked secure storage container except:

12 (a) When used for a lawful purpose, which may include, without
13 limitation, for an educational or recreational purpose, for hunting,
14 for the defense of a person or property, or to clean or service the
15 firearm; or

16 (b) If the firearm or ammunition is inoperable and solely
17 ornamental.

18 ~~{3.}~~ 2. A person who stores a firearm or ammunition on the
19 premises of a family foster home in a locked secure storage
20 container as required pursuant to subsection ~~{2.}~~ 1 shall ensure that
21 any key, combination or access code to the locked secure storage
22 container is kept in the reasonably secure possession of an adult or a
23 locked combination or biometric safe.

24 ~~{4.}~~ 3. A person who ~~{is authorized to possess a firearm on the~~
25 ~~premises of a family foster home pursuant to subsection 1 may~~
26 ~~carry}~~ carries a firearm on his or her person while in the presence of
27 a foster child, including, without limitation, while operating or
28 riding in a motor vehicle, ~~{if the person:}~~ shall:

29 (a) ~~{Keeps}~~ Keep the firearm in a holster or similarly secure
30 case;

31 (b) ~~{Carries}~~ Carry the firearm in a manner which ensures that
32 the firearm is inaccessible to any foster child and is in the
33 possession and control of the provider or other person; and

34 (c) ~~{Returns}~~ Return the firearm to a locked storage container
35 when the firearm is on the premises of a foster home or in the
36 presence of a foster child and is not being carried on his or her
37 person in accordance with this subsection or used for a lawful
38 purpose.

39 ~~{5.}~~ 4. An agency which provides child welfare services is
40 immune from civil and criminal liability for any injury resulting
41 from the use of a firearm or ammunition that is stored on the
42 premises of a family foster home or is carried by a provider of
43 family foster care or any other person who resides in a family foster
44 home.

45 ~~{6.}~~ 5. As used in this section:



- 1 (a) “Firearm” has the meaning ascribed to it in NRS 202.253.
2 (b) “Secure storage container” means any device, including,
3 without limitation, a safe, gun safe, secure gun case or lock box, that
4 is marketed commercially for storing a firearm or ammunition and is
5 designed to be unlocked only by means of a key, a combination, a
6 biometric lock or other similar means.
7 **Sec. 9.** NRS 202.3667, 202.3673, 202.3688 and 202.3689 are
8 hereby repealed.

LEADLINES OF REPEALED SECTIONS

202.3667 Permittee to carry permit and proper identification when in possession of concealed firearm; penalty.

202.3673 Permittee authorized to carry concealed firearm while on premises of public building; exceptions; penalty.

202.3688 Circumstances in which holder of permit issued by another state may carry concealed firearm in this State.

202.3689 Department to prepare list of states that meet certain requirements concerning permits; Department to provide copy of list to law enforcement agencies in this State; Department to make list available to public.

