

ASSEMBLY BILL NO. 255—ASSEMBLYMEN TITUS, WHEELER,
HAFEN, ELLISON, KRAMER; EDWARDS, HANSEN, HARDY,
KRASNER, LEAVITT, ROBERTS AND TOLLES

MARCH 13, 2019

JOINT SPONSORS: SENATORS SETTELMAYER;
AND SEEVERS GANSERT

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to permits to carry
concealed firearms. (BDR 15-84)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 firearms; requiring a course in
firearm safety to include training in suicide awareness and
prevention; authorizing persons who possess permits to
carry concealed firearms that were issued by certain other
states to continue to carry concealed firearms in this State
pursuant to those permits after becoming residents of this
State; and providing other matters properly relating
thereto.

Legislative Counsel's Digest:

Existing law establishes the requirements that a person must satisfy before
obtaining a permit to carry a concealed firearm, including successful completion of
a course in firearm safety that includes instruction in the use of handguns and in the
laws of this State relating to the use of a firearm. (NRS 202.3657) **Section 1** of this
bill requires such a course in firearm safety also to include training concerning
suicide awareness and prevention.

Existing law provides that a person who possesses a permit to carry a concealed
firearm which was issued by a state that meets certain requirements for reciprocity
with Nevada may carry a concealed firearm in Nevada pursuant to that permit, but
if the person becomes a resident of Nevada and wishes to continue to carry a
concealed firearm, the person must obtain a permit from Nevada within 60 days
after becoming a resident of Nevada. (NRS 202.3688, 202.3689) **Section 2** of this
bill removes the 60-day requirement and authorizes such a person who becomes a



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14 resident of Nevada to continue to carry a concealed firearm in Nevada with the
15 permit issued from the other state which meets certain requirements for reciprocity
16 until the expiration of that permit.

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

1 **Section 1.** NRS 202.3657 is hereby amended to read as
2 follows:

3 202.3657 1. Any person who is a resident of this State may
4 apply to the sheriff of the county in which he or she resides for a
5 permit on a form prescribed by regulation of the Department. Any
6 person who is not a resident of this State may apply to the sheriff of
7 any county in this State for a permit on a form prescribed by
8 regulation of the Department. Application forms for permits must be
9 furnished by the sheriff of each county upon request.

10 2. A person applying for a permit may submit one application
11 and obtain one permit to carry all handguns owned by the person.
12 The person must not be required to list and identify on the
13 application each handgun owned by the person. A permit is valid for
14 any handgun which is owned or thereafter obtained by the person to
15 whom the permit is issued.

16 3. Except as otherwise provided in this section, the sheriff shall
17 issue a permit to any person who is qualified to possess a handgun
18 under state and federal law, who submits an application in
19 accordance with the provisions of this section and who:

20 (a) Is:

21 (1) Twenty-one years of age or older; or

22 (2) At least 18 years of age but less than 21 years of age if
23 the person:

24 (I) Is a member of the Armed Forces of the United States,
25 a reserve component thereof or the National Guard; or

26 (II) Was discharged or released from service in the
27 Armed Forces of the United States, a reserve component thereof or
28 the National Guard under honorable conditions;

29 (b) Is not prohibited from possessing a firearm pursuant to NRS
30 202.360; and

31 (c) Demonstrates competence with handguns by presenting a
32 certificate or other documentation to the sheriff which shows that
33 the applicant:

34 (1) Successfully completed a course in firearm safety
35 approved by a sheriff in this State; or

36 (2) Successfully completed a course in firearm safety offered
37 by a federal, state or local law enforcement agency, community



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college, university or national organization that certifies instructors in firearm safety.

↪ Such a course must include instruction in the use of handguns and in the laws of this State relating to the use of a firearm **H and training concerning suicide awareness and prevention**. A sheriff may not approve a course in firearm safety pursuant to subparagraph (1) unless the sheriff determines that the course meets any standards that are established by the Nevada Sheriffs' and Chiefs' Association or, if the Nevada Sheriffs' and Chiefs' Association ceases to exist, its legal successor.

4. The sheriff shall deny an application or revoke a permit if the sheriff determines that the applicant or permittee:

(a) Has an outstanding warrant for his or her arrest.

(b) Has been judicially declared incompetent or insane.

(c) Has been voluntarily or involuntarily admitted to a mental health facility during the immediately preceding 5 years.

(d) Has habitually used intoxicating liquor or a controlled substance to the extent that his or her normal faculties are impaired. For the purposes of this paragraph, it is presumed that a person has so used intoxicating liquor or a controlled substance if, during the immediately preceding 5 years, the person has been:

(1) Convicted of violating the provisions of NRS 484C.110; or

(2) Committed for treatment pursuant to NRS 458.290 to 458.350, inclusive.

(e) Has been convicted of a crime involving the use or threatened use of force or violence punishable as a misdemeanor under the laws of this or any other state, or a territory or possession of the United States at any time during the immediately preceding 3 years.

(f) Has been convicted of a felony in this State or under the laws of any state, territory or possession of the United States.

(g) Has been convicted of a crime involving domestic violence or stalking, or is currently subject to a restraining order, injunction or other order for protection against domestic violence.

(h) Is currently on parole or probation from a conviction obtained in this State or in any other state or territory or possession of the United States.

(i) Has, within the immediately preceding 5 years, been subject to any requirements imposed by a court of this State or of any other state or territory or possession of the United States, as a condition to the court's:

(1) Withholding of the entry of judgment for a conviction of a felony; or

(2) Suspension of sentence for the conviction of a felony.



(j) Has made a false statement on any application for a permit or for the renewal of a permit.

(k) Has been discharged or released from service in the Armed Forces of the United States, a reserve component thereof or the National Guard under conditions other than honorable conditions and is less than 21 years of age.

5. The sheriff may deny an application or revoke a permit if the sheriff receives a sworn affidavit stating articulable facts based upon personal knowledge from any natural person who is 18 years of age or older that the applicant or permittee has or may have committed an offense or engaged in any other activity specified in subsection 4 which would preclude the issuance of a permit to the applicant or require the revocation of a permit pursuant to this section.

6. If the sheriff receives notification submitted by a court or law enforcement agency of this or any other state, the United States or a territory or possession of the United States that a permittee or an applicant for a permit has been charged with a crime involving the use or threatened use of force or violence, the conviction for which would require the revocation of a permit or preclude the issuance of a permit to the applicant pursuant to this section, the sheriff shall suspend the person's permit or the processing of the person's application until the final disposition of the charges against the person. If a permittee is acquitted of the charges, or if the charges are dropped, the sheriff shall restore his or her permit without imposing a fee.

7. An application submitted pursuant to this section must be completed and signed under oath by the applicant. The applicant's signature must be witnessed by an employee of the sheriff or notarized by a notary public. The application must include:

(a) The name, address, place and date of birth, social security number, occupation and employer of the applicant and any other names used by the applicant;

(b) A complete set of the applicant's fingerprints taken by the sheriff or his or her agent;

(c) A front-view colored photograph of the applicant taken by the sheriff or his or her agent;

(d) If the applicant is a resident of this State, the driver's license number or identification card number of the applicant issued by the Department of Motor Vehicles;

(e) If the applicant is not a resident of this State, the driver's license number or identification card number of the applicant issued by another state or jurisdiction;

(f) If the applicant is a person described in subparagraph (2) of paragraph (a) of subsection 3, proof that the applicant:



(1) Is a member of the Armed Forces of the United States, a reserve component thereof or the National Guard, as evidenced by his or her current military identification card; or

(2) Was discharged or released from service in the Armed Forces of the United States, a reserve component thereof or the National Guard under honorable conditions, as evidenced by his or her DD Form 214, "Certificate of Release or Discharge from Active Duty," or other document of honorable separation issued by the United States Department of Defense;

(g) A nonrefundable fee equal to the nonvolunteer rate charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation to obtain the reports required pursuant to subsection 1 of NRS 202.366; and

(h) A nonrefundable fee set by the sheriff not to exceed \$60.

Sec. 2. NRS 202.3688 is hereby amended to read as follows:

202.3688 ~~{1. Except as otherwise provided in subsection 2, a}~~
A person who possesses a permit to carry a concealed firearm that was issued by a state included in the list prepared pursuant to NRS 202.3689 may carry a concealed firearm in this State in accordance with the requirements set forth in NRS 202.3653 to 202.369, inclusive.

~~{2. A person who possesses a permit to carry a concealed firearm that was issued by a state included in the list prepared pursuant to NRS 202.3689 may not carry a concealed firearm in this State if the person:~~

~~— (a) Becomes a resident of this State; and~~

~~— (b) Has not been issued a permit from the sheriff of the county in which he or she resides within 60 days after becoming a resident of this State.}~~

Sec. 3. This act becomes effective upon passage and approval.

