

ASSEMBLY BILL NO. 272—ASSEMBLYMEN ROBERTS;
HAFEN, HANSEN, LEAVITT, NGUYEN AND YEAGER

MARCH 15, 2019

Referred to Committee on Judiciary

SUMMARY—Requires law enforcement agencies in certain counties to participate in the National Integrated Ballistic Information Network. (BDR 15-603)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§ 1)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 law enforcement; requiring law enforcement agencies in certain counties to participate in the National Integrated Ballistic Information Network of the Bureau of Alcohol, Tobacco, Firearms and Explosives of the United States Department of Justice; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

This bill requires law enforcement agencies in a county whose population is 700,000 or more (currently Clark County) to participate in the National Integrated Ballistic Information Network of the Bureau of Alcohol, Tobacco, Firearms and Explosives of the United States Department of Justice. **Section 1** of this bill: (1) requires the board of county commissioners of such a county to designate a forensic laboratory to conduct ballistics testing and perform other duties set forth in **section 1**; (2) requires any law enforcement agency in the county that seizes or recovers a firearm which was unlawfully possessed, used for an unlawful purpose, recovered from a crime scene or reasonably believed to have been used in or associated with the commission of a crime to deliver the firearm to the designated forensic laboratory for the purpose of ballistics testing; and (3) requires the designated forensic laboratory to conduct a ballistics test on the firearm and to input the resulting data from the ballistics test into the National Integrated Ballistic Information Network of the Bureau of Alcohol, Tobacco, Firearms and Explosives of the United States Department of Justice. **Section 1** also requires the designated forensic laboratory: (1) to coordinate with all participating law enforcement agencies when investigations require the use of the National Integrated Ballistic



18 Information Network; and (2) as feasible, to provide expert witnesses during
19 criminal cases for purposes of providing expert testimony regarding ballistics
20 testing.

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

1 **Section 1.** Chapter 202 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 **1. In a county whose population is 700,000 or more:**

4 **(a) The board of county commissioners of the county shall**
5 **designate a forensic laboratory to conduct ballistics tests and**
6 **perform the other duties set forth in this section.**

7 **(b) Except as otherwise provided in this paragraph, any law**
8 **enforcement agency in the county that seizes or recovers a firearm**
9 **which was unlawfully possessed, used for an unlawful purpose,**
10 **recovered from a crime scene or reasonably believed to have been**
11 **used in or associated with the commission of a crime shall, as**
12 **soon as practicable after seizing or recovering the firearm, deliver**
13 **the firearm to the designated forensic laboratory for the purpose**
14 **of ballistics testing. If a firearm is being used as evidence in a**
15 **criminal case, the firearm must be delivered to the designated**
16 **forensic laboratory as soon as possible after the firearm is no**
17 **longer being used as evidence in the criminal case.**

18 **(c) Upon receipt of a firearm from a law enforcement agency**
19 **pursuant to this section, the designated forensic laboratory shall:**

20 **(1) Conduct a ballistics test on the firearm, which must**
21 **include, without limitation, firing the firearm and photographing**
22 **bullets and casings;**

23 **(2) Input the resulting data from the ballistics test into the**
24 **National Integrated Ballistic Information Network; and**

25 **(3) After performing the duties set forth in subparagraphs**
26 **(1) and (2), return the firearm to the law enforcement agency that**
27 **delivered the firearm.**

28 **(d) In addition to performing the duties set forth in paragraph**
29 **(c), the designated forensic laboratory shall:**

30 **(1) Coordinate with all participating law enforcement**
31 **agencies when investigations require the use of the National**
32 **Integrated Ballistic Information Network; and**

33 **(2) As feasible, provide expert witnesses during criminal**
34 **cases for purposes of providing expert testimony regarding**
35 **ballistics testing.**

36 **2. As used in this section:**



1 (a) *“Designated forensic laboratory” means the forensic*
2 *laboratory designated by the board of county commissioners*
3 *pursuant to paragraph (a) of subsection 1.*

4 (b) *“National Integrated Ballistic Information Network”*
5 *means the National Integrated Ballistic Information Network*
6 *established and maintained by the Bureau of Alcohol, Tobacco,*
7 *Firearms and Explosives of the United States Department of*
8 *Justice.*

9 **Sec. 2.** NRS 202.253 is hereby amended to read as follows:

10 202.253 As used in NRS 202.253 to 202.369, inclusive **H** ,
11 *and section 1 of this act:*

12 1. “Explosive or incendiary device” means any explosive or
13 incendiary material or substance that has been constructed, altered,
14 packaged or arranged in such a manner that its ordinary use would
15 cause destruction or injury to life or property.

16 2. “Firearm” means any device designed to be used as a
17 weapon from which a projectile may be expelled through the barrel
18 by the force of any explosion or other form of combustion.

19 3. “Firearm capable of being concealed upon the person”
20 applies to and includes all firearms having a barrel less than 12
21 inches in length.

22 4. “Motor vehicle” means every vehicle that is self-propelled.

23 **Sec. 3.** The provisions of NRS 354.599 do not apply to any
24 additional expenses of a local government that are related to the
25 provisions of this act.

