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ASSEMBLY BILL NO. 58—COMMITTEE ON NATURAL  
RESOURCES, AGRICULTURE, AND MINING

(ON BEHALF OF THE DIVISION OF STATE PARKS  
OF THE STATE DEPARTMENT OF  
CONSERVATION AND NATURAL RESOURCES)

PREFILED NOVEMBER 19, 2018

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Referred to Committee on Natural Resources,  
Agriculture, and Mining

SUMMARY—Revises provisions governing violations of regulations adopted by the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources. (BDR 35-212)

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.

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AN ACT relating to state parks; revising provisions governing violations of regulations adopted by the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Existing law requires the Administrator of the Division of State Parks of the  
2 State Department of Conservation and Natural Resources to adopt regulations that  
3 may include, among other things, prohibitions and restrictions relating to activities  
4 within any of the park or recreational facilities subject to the jurisdiction of the  
5 Division. Existing law also provides that a person whose conduct violates such a  
6 regulation, and who refuses to comply with the regulation when requested to do so  
7 by certain rangers or employees of the Division, is guilty of a misdemeanor. (NRS  
8 407.0475) This bill removes the requirement that the person refuse to comply with  
9 the regulation before criminal liability may attach.

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

**Section 1.** NRS 407.0475 is hereby amended to read as follows:

407.0475 1. The Administrator shall adopt such regulations as he or she finds necessary for carrying out the provisions of this chapter and other provisions of law governing the operation of the Division. Except as otherwise provided in subsection 2, the regulations may include prohibitions and restrictions relating to activities within any of the park or recreational facilities within the jurisdiction of the Division.

2. Any regulations relating to the conduct of persons within the park or recreational facilities must:

(a) Be directed toward one or both of the following:

(1) Prevention of damage to or misuse of the facility.

(2) Promotion of the inspiration, use and enjoyment of the people of this State through the preservation and use of the facility.

(b) Apply separately to each park, monument or recreational area and be designed to fit the conditions existing at that park, monument or recreational area.

(c) Not establish restrictions on the possession of firearms within the park or recreational facility which are more restrictive than the laws of this State relating to:

(1) The possession of firearms; or

(2) Engaging in lawful resistance to prevent an offense against a person or property.

↪ Any regulation which violates the provisions of this paragraph is void.

3. Any person whose conduct violates any regulation adopted pursuant to subsection 1 ~~[, and who refuses to comply with the regulation upon request by any ranger or employee of the Division who has the powers of a peace officer pursuant to NRS 289.260,]~~ is guilty of a misdemeanor.

**Sec. 2.** This act becomes effective on July 1, 2019.

