

**MINUTES OF THE JOINT MEETING OF THE  
SENATE COMMITTEE ON JUDICIARY  
AND THE  
ASSEMBLY COMMITTEE ON JUDICIARY**

**Eighty-first Session  
May 22, 2021**

The joint meeting of the Senate Committee on Judiciary and the Assembly Committee on Judiciary was called to order by Chair Melanie Scheible at 9:11 a.m. on Saturday, May 22, 2021, Online and in Room 4100 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**SENATE COMMITTEE MEMBERS PRESENT:**

Senator Melanie Scheible, Chair  
Senator Nicole J. Cannizzaro, Vice Chair  
Senator James Ohrenschall  
Senator Dallas Harris  
Senator James A. Settelmeyer  
Senator Ira Hansen  
Senator Keith F. Pickard

**ASSEMBLY COMMITTEE MEMBERS PRESENT:**

Assemblyman Steve Yeager, Chair  
Assemblywoman Rochelle T. Nguyen, Vice Chair  
Assemblywoman Shannon Bilbray-Axelrod  
Assemblywoman Lesley E. Cohen  
Assemblywoman Cecelia González  
Assemblywoman Elaine Marzola  
Assemblyman C.H. Miller  
Assemblyman David Orentlicher  
Assemblywoman Shondra Summers-Armstrong  
Assemblywoman Alexis Hansen  
Assemblywoman Melissa Hardy  
Assemblywoman Heidi Kasama  
Assemblywoman Lisa Krasner  
Assemblyman P.K. O'Neill  
Assemblyman Jim Wheeler

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**GUEST LEGISLATORS PRESENT:**

Senator Fabian Donate, Senatorial District No. 10  
Assemblywoman Sandra Jaregui, Assembly District No. 41

**STAFF MEMBERS PRESENT:**

Patrick Guinan, Senate Policy Analyst  
Diane C. Thornton, Assembly Policy Analyst  
Nicolas Anthony, Senate Counsel  
Bradley A. Wilkinson, Assembly Counsel  
Pam King, Committee Secretary

**OTHERS PRESENT:**

Ayesha Molino, MGM Resorts International  
Nida Alvi, Everytown for Gun Safety  
Jim Sullivan, Culinary Workers Union Local 226  
Troyce Krumme, Las Vegas Metro Police Managers and Supervisors Association  
John Abel, Police Officer, Las Vegas Police Protective Association  
Athar Haseebullah, American Civil Liberties Union of Nevada  
Dan Reid, National Rifle Association  
John Piro, Chief Deputy Public Defender, Clark County Public Defender's Office  
Randi Thompson, Nevada Firearms Coalition  
Bruce Thompson  
Bill Bowen  
Patrick Horgan  
Diante  
Kendra Bertschy, Deputy Public Defender, Washoe County Public Defender's Office  
Christine Saunders, Progressive Leadership Alliance of Nevada  
Janine Hansen, State Chairman, Independent American Party of Nevada  
Bob Russo  
Jim Degraffenreid, National Committeeman for the Nevada Republican Party  
Theresa Degraffenreid  
James Carr  
Mike Hawkins  
Joel Friedman

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Lynn Chapman, Nevada Families for Freedom  
Jaimee Shepler  
Adrian Lowry  
Jim Hoffman, Nevada Attorneys for Criminal Justice  
Matthew Wilkie  
Leslie Turner  
Chuck Callaway, Las Vegas Metropolitan Police Department  
Michael Farringham, Washoe Shooting Sports Foundation  
Cyrus Hojjaty

CHAIR SCHEIBLE:

We are hearing Senate Bill (S.B.) 452 with an amendment, which the presenters will cover.

**SENATE BILL 452**: Prohibits the possession of a firearm on a covered premises in certain circumstances. (BDR 15-1154)

SENATOR NICOLE J. CANNIZZARO (Senatorial District No. 6):

I will provide a brief introduction of the bill and then turn to my co-presenters Ayesha Molino with MGM Resorts and Assemblywoman Sandra Jauregui to explain more of the background and details of the bill.

Senator Fabian Donate is here to walk through his proposed amendment.

By way of background information, over the last year, our State has been deeply impacted as a result of the Covid-19 pandemic, and the hospitality industry has been hit especially hard. As we begin to turn the corner and start to make our comeback, we must ensure our resorts are safe for everyone. Our Resort Corridor will thrive when our locals come back to enjoy a night out, when out-of-state and international visitors are here in record numbers for vacations, and hospitality workers have a safe environment to provide a world-class experience that we are so famous for.

During the pandemic, we have learned to be ready to adapt to changing circumstances. In the last year, we have worked to allow the hospitality industry to function safely in the face of a public health crisis by mandating masks, instituting social distancing and deploying vaccine units on properties across Nevada.

These are just some of the steps we have taken to ensure not only the safety of those who are visiting but also the safety of those workers who keep this State running each and every day.

With S.B. 452, we are looking to adapt our State's legal tools to better protect our hospitality workers, visitors and guests who travel to Las Vegas from around the world by ensuring we can appropriately prevent instances where physical violence may otherwise be a factor.

When we look at federal and other states' gun-free zone legislation that has been passed in recent years, the intent of this kind of legislation is clear. These measures are supported by those who hope not only to reduce violent crime but also to reduce suicides, unintentional firearm injuries, deaths and mass shootings. A gun-free zone can reduce the presence of guns in these areas, thereby eliminating the risk of unintentional firearm injuries due to recklessness, escalatory conflicts or criminal activity.

Senate Bill 452 allows a business owner or operator with a nonrestricted gaming license to post a public notice to visitors or patrons that firearms are prohibited on the premises.

Private businesses already have the ability to prohibit firearms on their premises. That is something they may already do, and we want to ensure they can properly enforce it. This prohibition is a choice for that particular premise's owner.

This language simply enhances the business community's tool kit in notifying patrons of this prohibition and to call upon law enforcement's assistance to address situations before they escalate.

Businesses have the option to allow any exemptions from firearm prohibitions, including, but not limited to, law enforcement, security personnel and certain hotel guests and attendees of trade shows that feature firearms—which are a vital part of our economy.

Flexibility is built into this bill, so it works to not only ensure the safety of those patrons within these facilities but also employees who work there while at

the same time respecting the rights we know are so important to those who have firearms.

SENATOR FABIAN DONATE (Senatorial District No. 10):

I come before you today not just as your fellow colleague but as a proud son, grandson, nephew and cousin of casino workers. My family members have worked in the hospitality industry for many years, and it has provided us with the opportunity to pursue the American dream.

One of my biggest priorities is to ensure the health and safety of my family members and my community. That means passing policies that will enhance the protections offered to our fellow casino workers.

The epidemic of gun violence is a public health crisis. We need to do everything we can to prevent the acts of violence before catastrophe occurs. After witnessing the horror and pain that resulted from the Route 91 Harvest Festival shooting, it is clear to me that more must be done to ensure that our visitors, casino workers and local residents are further protected.

This brings me to S.B. 452. After speaking with various stakeholders and community members, I am offering this friendly amendment ([Exhibit B](#)) that will help clarify a lot of the concerns we are seeing with the original language.

Under my proposed amendment, S.B. 452 will take the same approach already established within *Nevada Revised Statutes* (NRS) regarding public buildings and schools.

If an organization like a casino on the Las Vegas Strip opts to enact this policy to limit the presence of firearms on its premises, certain requirements must be met to enact this new regulation.

This amendment strengthens the requirements with regard to signage, requiring the signs at every casino entrance, check-in desk and cashier's cage. It also changes the penalties associated with any violations of this policy down to a gross misdemeanor, which is similar language to that in NRS 202.265 that prevents the possession of a weapon on a school premise.

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This amendment requires that any public premises documented in this legislation must set policies and procedures that will require the training of security guards on de-escalation techniques, culture diversity, competency and implicit bias.

I hope this amendment brings us closer to preventing active gun violence before it is too late to do so.

ASSEMBLYWOMAN SANDRA JAUREGUI (Assembly District No. 41):

I am happy to be here alongside Majority Leader Cannizzaro to have the conversation about what it takes to keep Nevada safe. I am proud that we are continuing the conversation on this policy that we began to work on over a year ago with the stakeholders here.

Many of you have heard my story multiple times, and I will continue to share it as often as it takes to combat the epidemic plaguing our generation, gun violence.

In October 2017, my friends, husband and I, and countless others were at the Route 91 Music Festival when a gunman opened fire, killed 58 people and wounded nearly 500 others, devastating our city and changing our lives forever.

People were here visiting Las Vegas to have an exciting, fun, memorable trip, only to experience the deadliest mass shooting in modern U.S. history.

While we have made progress in the years since then, we have also seen continued violent incidents that have left both Nevadans and the economic engine of our State, Las Vegas tourists, questioning the safety of our community.

In 2020, during a three-month period from mid-July to October, we witnessed seven shootings, including a shooting in front of the Aria Resort & Casino, a handgun discharging inside the MGM on the casino floor and a shooting outside the Miracle Mile shops at Planet Hollywood. Las Vegas Metropolitan Police Department (LVMPD) confiscated 64 guns on The Strip.

Captain Dori Koren of the LVMPD, said during an interview with the Associated Press in January:

Violent crime on and around the Las Vegas Strip began to rise significantly in September. The primary driver for this activity was related to a sharp rise in firearm-related incidents and aggravated assaults.

I know LVMPD and the Clark County Sheriff are doing the best they can to handle this uptick, but they simply need more tools at their disposal.

In a post-Covid world, we need to show visitors and residents alike that we are a place where you can come and forget about your problems, not come to find more. We need every single selling point so we can get our tourism economy back on track.

On March 9, eight days before I presented a bill to give businesses the tools they need to enforce their firearm policies, a security guard officer at Wynn Las Vegas was shot and killed in the parking garage.

On March 23, six days after I presented that bill, the LVMPD investigated a deadly shooting inside a hotel room on the Las Vegas Strip.

One month later, on April 25, the LVMPD investigated a deadly shooting on the Las Vegas Strip. One person was pronounced dead, the other hurt.

When I reached out to LVMPD yesterday, it reported 25 firearm-related calls on The Strip in the last 30 days.

Committee members, we have the opportunity with S.B. 452 to help the largest driver of our State's economic recovery be safe for the 40 million visitors who visit Las Vegas every single year and the hundreds of thousands of Nevadans who go to work there every single day.

AYESHA MOLINO (MGM Resorts International):

As the State's largest employer, we have a responsibility to keep our employees, guests and customers safe. Ultimately, that is what this bill is all about.

Let me first emphasize this about S.B. 452; it does not change any existing rights for gun owners and conceal carry weapon (CCW) permit holders.

As a private property owner, MGM Resorts already has the lawful right to prohibit guns on our properties, and we do.

Under existing law, our unarmed security teams must first issue a verbal warning to a patron and ask, "Who is in possession of the firearm?" More often than not, these individuals either willingly surrender their firearms or leave the premises. Unfortunately, this is not always the case. As a result, our employees and our patron safety is put at risk.

The proposed bill would give private property owners the opportunity to resolve this issue by enforcing the same protections you have in all public buildings, including the Legislative Building, where it is a criminal act to bring a firearm onto the property without express written permission from the governing authority.

Senate Bill 452 gives private property owners the ability to call LVMPD in certain circumstances when an individual ignores our lawful right to prohibit firearms and creates an unsafe environment for our employees and our guests. Importantly, this bill is an opt-in. It does not create any additional mandates on private property owners. It applies only to nonrestricted gaming licensees who choose to prohibit firearms on their property.

In order to opt in, a licensee must post the prescribed signage at all public entrances as well as other locations within the establishment.

The MGM Resorts already has signs on its properties to inform patrons we are exercising our right to prohibit firearms, but we are supportive of an opportunity to have uniform signage across all premises that choose to opt in to this bill.

Senate Bill 452 has been specifically drafted to exempt trade shows such as the SHOT Show, attendees of a trade show, on-duty law enforcement and individuals who are specifically authorized by the private property owners to carry firearms on their properties.

It is essential that we signal to our customers all over the world that Las Vegas is the safest place to be, and this bill will help send that signal.



SENATOR CANNIZZARO:

As we emerge from the Covid-19 pandemic and continue to reopen Las Vegas, it is essential that we again adapt and work better to address and prevent instances where the presence of guns puts lives at risk in our tourism and hospitality sector.

Our industry's ability to recover will depend greatly on its ability to maintain and ensure the safety of our guests, patrons and employees. I thank Senator Donate for putting together this amended version to address some of the concerns and recognize the tremendous bravery and strength of Assemblywoman Jauregui for being a tireless advocate to ensure that gun violence is not something our community has to face. We can be responsible and make sure people are protected. I cannot imagine how hard it is to share her story on a daily basis, but to share it publically, using it as a platform to help create the kind of change that can keep people safe, is remarkable.

SENATOR SETTELMAYER:

I appreciate the presentation by MGM Resorts. It sounds like they are doing a pretty good job of practicing de-escalation protocols to ensure situations do not turn troublesome.

I am wondering why the current system does not necessarily work? Property owners do have the authority to prohibit firearms if they so choose and statute states that. Law enforcement can choose to respond to trespass violations in that respect, and it is an internal policy on their behalf based upon whether they have the ability to respond or feel it is a serious enough threat.

How will this bill change that in any way, shape or form and make it so law enforcement can respond? Is MGM saying they may need to hire more security themselves? Within that question, what is an individual supposed to do?

Imagine the discussion of off-duty cops. What happens with them? It says, "Active law enforcement." Law enforcement, at least in counties I represent, are required to carry a gun with them at all times, even when they are off duty. There are a few questions, but the bill merits that.

Ms. MOLINO:

Under law, we are required to provide a verbal warning to people who trespass onto our property with a firearm in contravention of posted signage before we are allowed to engage with law enforcement and ask them to assist us in removing those individuals from the property.

Senate Bill 452 would provide an enhanced ability to de-escalate situations before they rise to a violent occasion by asking law enforcement to help remove individuals from the property without issuing them a verbal warning.

Our security guards are often not armed. Oftentimes, we are asking our unarmed security guards to enter into a situation with armed individuals where there is a potential for an altercation. Ultimately, the only tool at their disposal is to ask the individual to leave the property. Because there is no underlined prohibition preventing individuals from carrying firearms onto the property in violation of the law, all the individual faces is a trespass charge. It can be hard for us in those situations to remove people who do not want to turn over their firearms.

This bill will allow us to speak with LVMPD in advance of a violent situation occurring.

SENATOR SETTELMAYER:

I appreciate that as I myself am a property owner. Numerous times, I have come across individuals who trespass on my property with guns, so I understand and feel for you in that respect. Still, law enforcement cannot respond to those calls even if individuals are literally firing the gun on my property. How are you going to gain the ability to have law enforcement help?

Why not include the off-duty cops who are required by their own rules to carry a gun with them at all times when in the general public?

SENATOR CANNIZZARO:

With respect to law enforcement, the first page of the proposed amendment in [Exhibit B](#) to S.B. 452, subsection 3, paragraph (b) reads,

Does not apply to: A security guard of a covered premises or an officer of a law enforcement agency who is required to carry a firearm as part of his or her official duties and who is acting in his or her official capacity at the time of possessing the firearm on the covered premises.

Subsection 3, paragraph (b), subparagraph (4) reads, "Any person that has the written consent of the owner or operator of the covered premises or an agent thereof to possess a firearm on the covered premises." This gives the ability for the owner or operator of any covered premises to grant authority for someone who would be required to carry a firearm to obtain that consent. It does expressly exclude law enforcement officers who would be there on duty or inside the covered premises.

Between those two exceptions, that would be covered.

SENATOR SETTELMAYER:

My question involves, "as part of his or her official duties ... who is acting in his or her official capacity," it is a request of the employer that the person carry a gun at all times. Does that mean as long as your employer states you have to carry a gun that it meets the same criteria? Do they have to obtain permission ahead of time? I am my own employer, so I will just require that I have to carry a gun.

SENATOR CANNIZZARO:

Senate Bill 452 expressly applies to individuals who have that nonrestricted gaming license, so this is not just private property owners. We are talking about a specific group of entities that would be covered.

The language is meant to say that if he or she is acting in official duties and is required to carry a firearm, that person is not covered in portions of this bill.

There is a section that provides flexibility to allow for a covered premises by stating, "Yes, we give you consent to carry a firearm on this property."

Those two sections cover any instances you are discussing.

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SENATOR SETTELMAYER:

I will follow up with you offline.

SENATOR CANNIZZARO:

This bill language would not require any owner or operator of a covered premises to opt to put this policy in place. They could choose not to do so. They do not have to prohibit firearms on the property, but if they do, this tool would allow them to do so and have an enforcement mechanism.

SENATOR HANSEN:

All of these policies would have been in place in October 2017. The MGM Resorts is a private business. At that time, I can ensure everyone that some guy bringing in over a dozen rifles—not pistols, not concealed weapons—through their whole security system, using their service elevators and bringing in thousands of rounds of ammunition, must have been under the security in place when MGM Resorts dropped the ball.

For them to come here and say everybody else in the entire Las Vegas Strip has been failing to follow these protocols does not add up—trying to pass the buck off onto everyone else on The Strip that has good security—by now saying we need this new law. The MGM Resorts had the chance to do this.

We have many pro-Second Amendment citizens that come to Las Vegas such as the Safari Club International and the SHOT Show. These types of events bring in at least \$275 million to Las Vegas—all pro-Second Amendment people.

If we are worried about the economics of Clark County and The Strip, we better think about those people. The Safari Club folks are upset about bills like this because, in effect, it is being singled out as being somehow responsible for the October Harvest Festival shooting.

The responsibility for that is with the MGM Resorts people who allowed those dozen or so long guns to go through their service elevators and cause that kind of mass shooting.

What does this new law allow that did not exist at the time of the October 2017 shooting with the exception of the penalty of trespass?

SENATOR CANNIZZARO:

Within the last 30 days, there have been a number of incidences involving firearms and shootings and violent crimes occurring on these properties. The idea that somehow what we have is working to keep hospitality workers and guests safe is belied by the facts of current law enforcement responses. They are in need of another tool to help with the de-escalation piece of this to ensure we do not have more violent incidences occurring.

They also need additional tools to ensure the safety of the people who are there. This is not about one incident; this is about an ongoing issue demonstrated and supported by law enforcement facts provided and incidences occurring within our tourism corridor, which has a huge impact on our community and those workers and our State's economy as a whole.

With respect to industries that have some of these trade shows, the proposed amendment, [Exhibit B](#), to S.B. 452, subsection 3, paragraph (b), subparagraph (3) talks about "a guest of a public accommodation facility" who is attending and participating in trade shows. These are not the individuals who are being targeted.

We want these trade shows and guests to come to Las Vegas. People are capable of being safe with firearms. If we can make sure those procedures are in place, then let us do that. It is reflected in the language of the amended portions of the bill.

This is not intended to be overreaching, saying we do not want people and trade shows to come to Las Vegas. We are trying to build in enough safety and some exceptions to welcome those individuals and trade shows. At the same time, we have an obligation to ensure the safety of guests and the people who surround us.

This is an opt-in; a premises is not required to say that they do not want firearms on the property. They do not have to opt-in to this particular law. This is completely discretionary for those property owners if they choose to opt-in, it will provide an additional enforcement tool.

As Ms. Molino mentioned, one of the issues for MGM Resorts is workers who are unarmed and trying to do their jobs such as a porter who is helping guests.

They may have a situation where a staff member may need to say to a supervisor, "We have to go issue a verbal warning to someone." These types of incidences can escalate quickly. We want to utilize law enforcement to ensure de-escalation happens. That is the intended purpose of the bill.

SENATOR HANSEN:

That is a nice intent. You realize you are asking law enforcement to almost randomly pat down people who show up at the building. Someone in security says, "I think this guy may be a CCW holder, and he did not check his gun in."

The level of increase of police response is a little bit frightening. Considering the people who are CCW holders in the State of Nevada, hundreds of thousands of them, there has not been a single case of a CCW holder committing a so-called gun crime.

There is this idea that we are having the escalation of gun violence as if guns themselves somehow do it. In our building, we have security people walking around with open-carry guns all over the place. There has not been a single example of one of those guns doing anything to violate any of us. The definition of gun violence does not make sense in the statute. The crime rate in Nevada has dropped since we have expanded the CCW program. This bill is about emotion, not fact. The emergency portion of this bill was already in the Assembly, and the Assembly said, "No." To bring it as an emergency measure on the Senate side, is disingenuous and wrong to the whole process.

SENATOR CANNIZZARO:

In subsection 3 of the amended portion of the bill, which is in [Exhibit B](#), paragraph (b), subparagraph (1) has specific allowances for security guards or law enforcement agencies who carry weapons.

The Legislative Building is an example of a building where people cannot bring firearms. A sign at the front door states you cannot bring a firearm into this building. We have Legislative Police who open-carry as part of their job duties. If we were to apply that same thing to this particular bill, they would be exempted by the language in this bill. Additionally, this does not give unfettered ability for law enforcement to skirt the U.S. Constitution with respect to search and seizure or with respect to their duties to find probable cause if they encounter someone.

This does not change law enforcement's duties. If we say something is prohibited conduct, law enforcement in any circumstance has to have the right procedures and processes in place and follow them to address that particular concern. This bill does not say forget the U.S. Constitution, it does not say we do not care about search and seizure law; we do not care about the Fourth Amendment; we do not care if law enforcement has probable cause.

People call in complaints to law enforcement all the time. This is why we have a 911 system, and law enforcement responds. We have to have faith that they are able to do their job. The whole point of this is de-escalation with law enforcement, who we should trust to do their jobs appropriately, is to avoid further instances of violence.

SENATOR PICKARD:

I understand that it is an emotional, practical and legal response in trying to fix a problem we have seen. I am thinking about the practical terms with respect to the verbal warnings and how it is enforced—how do we know it occurred? Let us say a person walks in with a firearm, whether concealed or not, and is maybe given a verbal warning. It is a no entry issue. How is that proven? The resort would have the burden to prove that the verbal warning was given. How does one prove a person was carrying a firearm at the time a verbal warning was given? Are the verbal warnings recorded somewhere? Are the security guards now wearing body cameras? How does this work?

MS. MOLINO:

Verbal warnings are used all the time in these trespass situations. From our perspective, the security guards generally keep a record of when a verbal warning was issued and when people are asked to leave the property. This issue is not a significant area to enforcement in this regard.

SENATOR PICKARD:

I am not suggesting it is a barrier. I am wondering how it works. Is it a recording of information through management made after the fact? One thing in the original amendment was for the permission. I am not sure how one goes about getting permission, but how does the security officer know whether the person has permission or is even carrying a firearm at that moment?

I understand the desire not to have a militarized zone, but it should be up to the employer to determine whether to hire armed security. Security should be able to walk up to a person who is suspected of carrying a concealed firearm. But, how does security know an individual is carrying a firearm and does not have permission?

Ms. MOLINO:

Some of these questions were already addressed. Senator Donate's proposed amendment in [Exhibit B](#), addresses those questions. The amendment does not distinguish between conceal or open-carry, in part, for that exact reason.

SENATOR PICKARD:

The amendment does not address how the security officer determines whether the person is carrying and whether the person has permission to carry. How is that done?

SENATOR CANNIZZARO:

There was a question about how you obtain permission. I will give an example. The courthouse in Las Vegas permits certain individuals to carry within that courthouse, but you have to obtain prior permission.

You go through a process to ask for permission and provide all necessary documents, proof of training if requested, or if they require a CCW permit. This is not unique to this bill; it occurs in other facilities where permission is granted, and one would contact the premises to find out if a CCW is needed. It does happen in the courthouse in Las Vegas where certain individuals can be given permission to carry.

ASSEMBLYWOMAN JAUREGUI:

We are not changing existing policies; we are just trying to strengthen policy. You asked how they would identify someone who was carrying. The covered premises already have these policies in place that restrict firearms from their premises.

Senate Bill 452 gives teeth to existing policies. Many of the nonrestricted gaming license properties on The Strip already have policies in place that do not allow firearms. Whether you are a CCW holder or open-carry, you already cannot be on their premises with a firearm.



You asked how they would handle someone who steps foot on their property with a firearm. There are existing policies that address these issues. This is just a mechanism to give more teeth to enforce existing policies.

SENATOR PICKARD:

I am interested in the mechanics. Since it is already in existing policy, how do they currently identify someone? If they walk up to someone who they believe is carrying a firearm and the person denies he or she is carrying, how do they verify it? Do they pat them down? Do they require them to remove their outer clothing? How do they verify it? How does one go about finding out if that person is carrying a firearm? I assume that since we are adding a criminal penalty instead of just trespass, there has to be a certain level of evidence. How do we obtain that evidence?

Ms. MOLINO:

Our security guards do not as a matter of course frisk our customers. In most situations where our security guards believe a person is on the premises carrying a firearm in violation of our policy, we ask the individual to turn over his or her firearm because we are a firearm-free zone.

Most law-abiding individuals are more than willing to turn over their firearms. They are not there to start trouble. They want to be on the property having a good time while complying with our policies.

The incidences you are suggesting are not commonplace. We want to resolve the situation where we have individuals who do not want to comply with our policies and are there for the wrong reasons to create trouble. In those circumstances, our security guards need to rely on police officers and additional LVMPD assistance. We want to make sure our facilities remain a safe and secure place for our employees, guests and customers.

SENATOR PICKARD:

It sounds like the law-abiding individuals do comply with your policies and such incidents are not commonplace; however, we heard in prior testimony that The Strip is a dangerous place without this law, particularly in the Resort Corridor. Apparently, that is not the case and this is not commonplace, but I am trying to get at the bad actors. I agree with you. Law-abiding citizens will comply with the requirements.

An example is we have a bad actor, a person in the facility who wants to do harm. How is it that under existing law, we identify and struggle with removing the person? You are saying that law enforcement does not respond presently, yet the testimony was the opposite. I am trying to reconcile the discrepancies in what we have already heard today. It is not common, and yet this is a problem. It is dangerous, but it does not happen and is not commonplace. We do not frisk. We do not know if they are carrying, but we assume they are. Can you tell me how this works? The only thing this bill does is add a criminal penalty to the existing scheme with a few alterations around the margins. So how do we find out? How do they defend themselves if they do not have a gun? And how does security get to the bad actors? How is a criminal penalty going to improve the police response?

MS. MOLINO:

What is the problem we intend to solve? Nevada is one of just a couple of jurisdictions where there is no underlying legal prohibition on people carrying firearms on the casino floor. If we, as a private property owner, did not post the signage that prohibited individuals from carrying firearms within the casino, there is nothing preventing them from carrying firearms in a crowded environment. As private property owners, we have chosen to prohibit a set of circumstances that we do not want on our private property.

We are trying to solve the circumstance where an individual carries a dangerous firearm across our property. There is nothing we can do to stop that from happening—even though we have posted signs prohibiting it—unless our security guard goes up to that individual and engages directly.

From our perspective, we have already posted signage telling people they are not allowed to carry firearms on our property. As a private property owner, at the point at which we become aware that an individual is violating that policy, we should be able to engage with LVMPD and law enforcement to get assistance to remove that person from the property.

SENATOR PICKARD:

With regard to the extent of the prohibition, does this apply to every area within the property boundaries, or is this just on the casino floor? Can a person legally carry into a restaurant or a shopping mall that might be associated within the property but not part of the gaming operation? I assume you are not placing big

signs on every door. If they miss the sign and walk in without knowing, now it is a crime if they are just going to buy an Apple watch or something. How does this work?

Ms. MOLINO:

This bill is an opt-in. It would apply only to unrestricted licensees. Just like any other private property owner, we as an unrestricted licensee, have decided our private property in its entirety is a firearm-free zone.

Under S.B. 452, we are required to post signage on every public entrance so it would, in fact, be every door.

SENATOR PICKARD:

The interpretation has been it is just at the entrance, not necessarily on every single door.

I noticed in the amendment that you are allowed to store a firearm in the parking lot. How is it that if we are not giving them a warning, they walk in, do not see the sign wherever that may be, and are not given a verbal warning anymore, but they go directly to jail as they are carrying and not given an opportunity to put it in their car. Is that right?

You already have signs up. How many people have obeyed that signage?

Ms. MOLINO:

In the majority of circumstances, we are dealing with law-abiding individuals, who, when asked—whether by us at MGM Resorts or potentially by law enforcement, when they respond—to turn over their firearms, do so because we are a firearm-free zone. By all accounts, once that happens, we have no desire for a situation where law-abiding individuals who made an honest mistake are subject to being criminally punished.

In the vast majority of circumstances, the situation you were pointing out would be addressed in a way to not create any sort of punitive action for a person who is making an honest mistake.

SENATOR PICKARD:

I do not see the need. It sounds like you are already doing everything you need to do. How many people have been stopped and either turned in their firearm or taken it to their car since you first posted the signs on your doors?

CHAIR SCHEIBLE:

We are getting to the point where the questions are redundant. We heard Ms. Molino say several times that in most cases when they ask someone to turn in a firearm, people usually comply.

Do you have any other questions?

SENATOR PICKARD:

My question did not get answered.

SENATOR CANNIZZARO:

The general overview of those questions has to do with what—how and why it would affect the ability of the business to operate?

ASSEMBLYWOMAN JAUREGUI:

When conversations on this policy started over a year ago, we looked at what other states did, and many other states have already implemented these business empowerment policies. We looked to Texas; Texas implemented this policy, and their businesses have not suffered. They did exactly what we are trying to do—giving business property owners the right to implement policies that would keep their employees and their customers safe.

SENATOR PICKARD:

I have a lot of questions that still remain unanswered, but I will not take any more time. I wish we could get direct answers to direct questions, but I understand the politics behind it.

SENATOR HARRIS:

The proposed amendment requires covered premises to adopt policies and procedures to enact the bill. Would your employer be open to the idea of putting in place a policy or procedure that would allow off-duty officers to somehow inform security guards that they are carrying and give them permission to do

so? Is that something you could build into your policy on how this bill would work?

Ms. MOLINO:

I have not had a chance to look into that in any great detail, but I am happy to have that conversation. With this bill, we are trying to get at a situation where folks who are not law-abiding citizens are carrying on the premises in a manner in contravention of our policy. When we ask to remedy that situation, they do not do so or are unwilling to do so. We want to have law enforcement assistance to remove those persons from the premises.

To the extent that is not the case, we would be happy to see how to address the circumstances in a way that does not undermine the core purpose of the bill.

SENATOR HARRIS:

Would your employer be willing to consider offering lockers where people can willingly surrender their firearms as opposed to having the firearms taken away to someplace where they may not see them and have to rely upon the private property to promise return? We may be able to add compliance here if there is a mechanism for folks to willingly turn their guns over into lockers, keep those keys with them and pick the firearms back up when they leave the casino.

Is that something MGM Resorts would consider?

Ms. MOLINO:

These situations have happened before. We have had circumstances where our guests or others come onto the property, do not realize they have firearms and when asked to surrender their firearms, they turn them over to us. We hold the firearms in a safe manner until the owners want the guns returned.

I am happy to have that discussion with you. We are not aware that particular circumstance has been a problem or a disincentive that prevents compliance with our policies.

SENATOR HARRIS:

I want to encourage you all to consider maybe placing some lockers on the property where folks can willingly, before they come into contact with a security guard, hand over their guns and have access.

Lastly, what are your plans to inform the public of this new law? Some of that confusion creates some of these issues, especially since we will have some properties opting-in and others opting-out. So, it is important for those properties that opt-in to make sure they make it known to the general public as soon as possible.

Could you tell me a little about what your plans may be to get the message out that firearms are not allowed on the property? If you do bring a gun on this property, there is a stricter kind of enforcement than if you went into your local coffee shop and were asked to leave.

Ms. MOLINO:

As you know, we have signs posted at our properties. For those properties that choose to opt-in pursuant to this bill, there also is a seven-day delayed implementation. Once a property opts-in, there is a seven-day period before criminal penalties would kick in, so there is a chance for people to become aware of that mechanism.

In addition, we will work with all of our convention partners and general partners that utilize our premises to make sure they are aware that criminal penalties apply pursuant to this law in Nevada for violating the policies in a manner that would violate this bill if enacted.

We will do our part to make sure our guests, convention partners and other partners are well aware of not only our policy but of this law should it pass.

SENATOR HARRIS:

The signs are more of a passive measure; active measures are going to be just as important in cutting this off at the front end. I would encourage all of you to do as much proactive work as you can to get the word out.

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Ms. MOLINO:

We share your objective of making sure our guests are not surprised and will work toward that goal.

SENATOR OHRENSCHALL:

If this bill passed with the proposed amendment from Senator Donate, would your employer be open to keeping data statistics to make sure the law is not being used for racial profiling and maybe keep and share that data as to who is being questioned?

Ms. MOLINO:

The Nevada Gaming Commission already collects much of that data, so mechanisms are in place for data collection. I also note that it is a place of public accommodation.

We are already subject to strict antidiscrimination laws under Nevada as well as federal law. As an unrestricted licensee that also carries a privileged license, we take all of these obligations seriously.

ASSEMBLYWOMAN BILBRAY-AXELROD:

I will piggyback onto my colleague from the Senate because I want to talk about subsection 4 and paragraphs (a) through (c), the de-escalation and cultural diversity competency. I want an idea of what that looked like because I do understand the intent of this bill. My No. 1 job as a mother is to keep my child safe. That is what we want to do with our community.

I do have a concern that the unintended consequences will be racially profiling people; asking Black and Brown people about their guns more than we would ask White people. Can you discuss that aspect? You mentioned that the Nevada Gaming Control Board has that information.

Is there no verbal warning at all now, or is it the intent that you would ask someone? I am a little confused about that aspect.

Ms. MOLINO:

We want to make sure all of our guests experience a hospitable environment. We conduct diversity training as a core part of who we are at MGM Resorts.

We would not have a business if we did not treat all of our guests with respect, and that is something we take seriously.

Making sure all of our guests are treated equally is part of training for all of our employees and certainly for our security employees to understand. There can be no disparate treatment among our guests in any aspect of how they enforce our policies. It is something everyone is required to do as a part of their job description.

Nevada Gaming collects information regarding enforcement of these sorts of policies on our properties. I am not fully aware of their policies regarding sharing that information with members of the Legislature, but I am happy to get more information about that and follow up with you.

ASSEMBLYWOMAN BILBRAY-AXELROD:  
Is there a verbal warning?

MS. MOLINO:

Absolutely, yes. This bill is structured for those unrestricted licensees that choose to opt-in, giving us the opportunity to engage with LVMPD and ask for law enforcement assistance when our security guards believe it would be an important tool to proactively prevent violence.

That is not to say that in no circumstances will we provide a verbal warning or engage with people who come onto our property with a firearm. There may be many circumstances where our security guards continue to use existing tools to de-escalate when they engage with a person on our property, become aware that person is carrying a firearm and ask that person to leave the property.

There are a variety of tools that our security guards continue to use to make sure our properties are kept as a firearm-free zone. In a real-world environment, efforts to de-escalate will continue. As has been noted earlier, this bill would give us one more tool to ensure our environment stays as safe and secure as possible.

ASSEMBLYWOMAN BILBRAY-AXELROD:

I appreciate that. I am concerned that some people could be treated differently than others because "Sometimes we do it, and sometimes we do not." My fear



is what that looks like in practicality—who gets a verbal warning and when it gets escalated to bring in the police.

I understand your intent in this bill. When it is not a "yes, we would give a verbal warning" across the board; there may be unintended consequences.

ASSEMBLYWOMAN COHEN:

I agree the intent is to make sure people are as safe as possible. In that regard and in the interest of not surprising people, would you be willing to agree to include language that resort websites have to include this information?

I have a real concern about someone driving across Country, getting here and finding out he or she cannot bring a weapon inside casinos or resorts and then say, "Well, I am not going to turn my weapon over."

Maybe it is NASCAR week, maybe there is a big convention in town and they are driving around town and cannot find a place to stay. It does not help anyone's safety if you have a person who might be upset, unhappy and driving around looking for a place to stay after driving across the Country and having no way of knowing this would happen when getting here.

Ms. MOLINO:

This bill provides property owners that opt-in and makes clear that full property owners that opt-in may choose to give written permission to certain individuals.

In the circumstance you described, we are dealing with folks who have made an honest mistake or were unaware of policy for whatever reason. There are multiple avenues by which that mistake or lack of knowledge about the policy can be cured. Where they are not comfortable handing over their firearm, they could ask for specific written permission to keep the firearm in their car.

The intent is not to go after individuals who have made an honest mistake or are unaware. It is to help us prevent acts of violence from happening on our properties.

ASSEMBLYWOMAN COHEN:

Following along with some of the questions about exceptions, I want to get back to off-duty law enforcement officers. Different agencies in the State

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require their law enforcement officers to carry a weapon at all times, even when they are off duty.

I am the daughter of a retired parole and probation officer, and she had to carry a weapon at all times. I cannot imagine every time that we went to a resort for a wedding, to meet family members from out of town, or to go have dinner that she would have to go to security and get an exception to keep the weapon that her agency required her to carry at all times.

I would ask that you consider changing that exception so that off-duty officers can carry.

CHAIR SCHEIBLE:

This question was already answered. I do not know if you want to repeat your answer, Majority Leader, or move on to another question. Is that all of the questions you have, Assemblywoman Cohen?

ASSEMBLYWOMAN COHEN:

Yes, although it was not fully addressed. Getting an exception is not the way it is written in the bill. I do not think them having to go to the facility to get an exception would be a good idea. I will leave it at that.

ASSEMBLYMAN WHEELER:

For about 110 days in this building, bills come before me that I read thoroughly and someone says, "This is the intent of the bill." I figure in 2023, we are going to be back here cleaning up our first 200 bills from 2021 because the intent of the bill is not sometimes the plain language of the bill. Part of the problem is when the amendment, [Exhibit B](#), says in S.B. 452, subsection 3, paragraph (b), subparagraph (1) "A security guard of a covered premises or an officer of a law enforcement agency who is required to carry a firearm as part of his or her official duties and who is acting in his or her official capacity," that means on duty. They are not in an official capacity when they are off duty.

The plain language of this bill is different than the intent we are hearing. Given that scenario, they do not go back to the intent unless there is some ambiguity.

For example, an off-duty officer of the law walks into a café, does not see the sign, wants to get something to eat, and someone goes to security and says, "That gentleman over there might be carrying a gun; I think I saw something." Security stops the man carrying a gun—or anyone such as a nonofficer of the law—who does not want to let them know he has it. Security asks him, "Are you armed?" And he says, "no" and keeps walking. Where does it go from there? Does that then become a stop-and-frisk situation? I think we are trying to stay away from any stop-and-frisk scenarios.

SENATOR CANNIZZARO:

If every law we passed was perfect and worked the way we wanted, most of us would not be sitting here today, Assemblyman. There are always changes from laws passed that need clarification because they did not work as planned.

The idea that at some point someone may make a revision to the NRS is not somehow detrimental to this particular language.

With respect to plain language, the point about law enforcement officers who would be on duty have an express exception here. When they are required to carry that firearm as part of their duties and are acting in those official capacities, they are exempted from the language in this bill.

Plain language of the amendment in subsection 3, paragraph (4) says "the written consent of the owner or operator of the covered premises." That operates the same way as many other places where carrying a firearm is prohibited.

The example I gave earlier was the courthouse where there is an express prohibition on carrying firearms into the courthouse unless you have the consent of the premises to carry it on that property.

Maybe those procedures differ between what a covered premise and who would opt-in to this particular law would require and what is required for the courthouse.

That is a real example of how this works. Officers may not be on duty but may have a firearm as conceal-carry permit holders who are permitted to do so within that building because they have obtained that consent. Between these

two exceptions is the plain language of the amendment, [Exhibit B](#), in subsection 3, paragraph (b), subparagraph (1), sub-subparagraph (IV) that covers not just the intent. Making a record of intent is always something we strive to do that is helpful when it comes to legal analysis should a law be challenged. The plain language includes exceptions. Additionally, what happens if someone is not truthful when asked if he or she is carrying a firearm?

There has been a lot of talk about giving verbal warnings where it may be appropriate. Individuals tend to comply with verbal warnings. But when that is not the situation, they may need the assistance of law enforcement to engage in de-escalation so a violent incident does not occur.

If we were to say that firearms are prohibited on school grounds, and someone says, "I do not have a firearm," this law operates the same way as for those facilities. This delves into what happens if someone is not truthful about what he or she is doing. That is the same thing as if someone is pulled over for driving while intoxicated; the police ask if the person has had anything to drink, and the person says no.

At some point, the safety of the community kicks in, and we want to make sure we have the tools to address that safety. In these instances, most people who are approached and told they cannot have a firearm are more than willing to oblige, but the property needs to have a tool to address those who are not or are seeking to engage in violent behavior.

ASSEMBLYMAN WHEELER:

Maybe Ms. Molino can answer my question because I did not get a real answer. Someone says no and turns around and walks away. Is he or she allowed to walk away? Is that person stopped? What is the procedure? Where do we go from there? Is he stopped? Is he frisked? We cannot seem to get that answer.

I have walked into many casinos. I am a CCW holder and many times walked in without it. But if someone came up to me and asked and I said no, I am not going to allow security to frisk me. I do not understand the procedure from that point on. Someone says no, and I am wondering if that person is asked to leave, are they escorted out or stopped?

Ms. MOLINO:

The goal of this bill is to stop instances of violence before they occur. This bill is not supposed to go after law-abiding individuals who, for whatever reasons, are carrying firearms on our property. To the extent that someone is carrying a firearm on our property, including off-duty law enforcement, and our security guards become aware and choose to engage with that individual, there is no stop-and-frisk; if they believe the person is carrying a firearm in contravention of our policy, the individual would be asked to leave.

Under existing law, if the individual did not leave at that point, we could call law enforcement to engage.

In the circumstance you are describing, I cannot imagine that an off-duty law enforcement officer would have any desire to get into an altercation with MGM Resorts over violating our own policies. At the point the patron is asked to leave; that person would leave, and there would be no incident to follow.

SENATOR CANNIZZARO:

Assemblyman Wheeler, one of the hard parts about answering your question is, what are the specific details? Do you see the outline of a firearm in someone's pocket? Are they fidgeting with it? Did a cartridge case fall out on the floor? Those details would be important to what happens next.

If someone says no and there is no probable cause, this neither gives law enforcement nor security the unfettered right to just stop and frisk whomever they want. The law and the Fourth Amendment still apply.

For example, people call and say, "Hey, this person seems to be driving drunk." Law enforcement responds and pulls that individual over; it turns out that the person is not drinking or under the influence. Maybe a dog was in the car and jumped on his or her lap, and that is why the individual swerved a little. It is not as though law enforcement shows up and says, "We got a call from someone who said you were driving drunk, so we are arresting you for a DUI." That is not how the law works.

Those things are not taken out of our general understanding of how investigations and the U.S. Constitution work; it does not change any of those things. Some of that is fact-determinative about what was observed and how

it happened. The important point about this particular bill is putting in place language to say that we are a covered premises that opts-in to not want firearms on the property; here are some of the exceptions; here is what that property has to do to comply. We will ensure good training and proper notifications at every entrance, at the cashier's cage and at check-in so people are aware.

We will work with guests and folks in the casino to ensure people are safe but allow the property owner to determine intervention of law enforcement for de-escalation purposes before it turns into a shooting or an assault with a deadly weapon.

This bill is designed to do that. I understand there may be some frustration in that the question is not being answered. This is but a tool of many, and here are the procedures in place if someone says we do not want firearms on the property.

ASSEMBLYMAN WHEELER:

You did say something about training, though. I did not see anything in the bill about training. Is Stockman's Casino or Sharkey's going to get that training?

SENATOR DONATE:

We have had conversations as to what happens in this situation whether it is law enforcement officers, off-duty officers or anyone else. We are forgetting the situations our security guards have to deal with on the casino floor most of the time. That is why subsection 4 in this proposed amendment says, "Any covered premises must adopt policies and procedures to enact this Section," including de-escalation techniques. We go further to cover some of the racial and implicit bias views that can happen in these certain situations.

ASSEMBLYWOMAN KRASNER:

I do understand and appreciate the intent of the bill. The October 2017 massacre was a horrific nightmare. I have a family, and I want my family to be safe, too, when we travel, but the law has to be reasonable to the average law-abiding citizen. People want to follow the law; a person who is a CCW carrier wants to follow the law.

Considering the bill in conjunction with the friendly amendment, I am looking at [Exhibit B](#), subsection 3, paragraph (b), "Does not apply to" and moving down to subparagraph (3), sub-subparagraph (IV), "A guest of a public accommodation facility who: Notifies the public accommodation facility in writing that his or her bag contains an unloaded firearm."

My question is when do they notify—one minute, one hour, one day, one week? That is the first part of my question.

Secondly, I am looking at the picture of the sign on page 3 of S.B. 452 that says, "Firearms are prohibited on this property unless the person wishing to possess the firearm has obtained the written consent of the owner or operator." It does not have a phone number, email or address where I can write my letter. A law-abiding citizen says, "Oh, owner. What is an owner of a casino that is a publically held corporation? The shareholders are the owners of a publically held corporation. So do I have to write to every shareholder? Do I write to just the majority shareholders? Who is the operator? I do not know since multiple people could operate a casino.

I looked at the MGM Resorts website. I looked at the top, middle and bottom. Nowhere does it say, "If you want to bring your conceal-carry permit or get permission from the owner or operator of this property, here is the address, email and phone number." It says nothing. I even went to the frequently asked questions.

How does a law-abiding citizen find out who to get the written consent from so he or she can be law-abiding?

SENATOR CANNIZZARO:

The signs included in this particular bill are posted at the cashier's cage, at check-in and at all the entrances to the building. Because there is no telephone number or email address, someone would interpret that having to contact all of the shareholders when standing on the property and reading the sign seems a little less than reasonable.

When you walk into this Legislative Building, a sign says you may not carry a firearm on this premises. The signs are on the property.

To your point about whether there should be additional dissemination of information to advise people that this particular premises has opted into a law that restricts the carrying of firearms on property is certainly a question we have heard from a couple of different members. Ms. Molino talked about their efforts to ensure guests have a full understanding of what is permitted and their outreach efforts.

With respect to the ambiguity in the sign, those signs are on the property, so I presume you could just ask someone when you see the sign.

With respect to when to notify, this law is pretty clear that they want folks who are coming into the property to have the firearm unloaded and to let folks know. There is ambiguity built into the language of this bill because it says they must notify the public accommodation facility in writing that they have a bag that contains an unloaded firearm. You would do this prior to entering the premises, because otherwise you cannot bring that firearm onto the premises.

SENATOR DONATE:

I will give a quick background as to how I got to my amendment. Hopefully, I can address some of the concerns that you documented.

In public health, we talk about how we can develop good public health policies that influence behavioral health science. This means the actions that people carry out can influence the health and safety of everyone else.

In public health policy, we talk about three things: education, enforcement and engineering. Education was covered earlier through Ms. Molino's testimony where she mentioned that as part of this implementation MGM Resorts would carry out the education for their visitors and residents to understand this new change.

This policy covers enforcement the same as any other public buildings or schools. This eventually leads to good policy because it is learned already through behavioral science in the same way that you cannot bring a firearm into a stadium or sports entertainment center.

The last part is engineering. This amendment builds on the concept of public health because not only are we providing signage at public entrance areas,



we are making sure guests not staying at the hotel are informed of this at the cashier's area and those staying are made aware when checking into the hotel.

Building on the education, enforcement and engineering of this policy can lead to behavioral changes. This is something we have to recognize.

Ms. MOLINO:

The plain reading of the sign or statute make clear it is the owner or operator of the unrestricted licensee or an authorized agent thereof. All of our employees will be trained when asked to direct individuals to the appropriate authorized agent who can give permission when appropriate.

ASSEMBLYWOMAN KRASNER:

My question is for Ms. Molino. The sign is vague and ambiguous. I understand it says firearms are prohibited. Okay, you have to get written consent from the owner or operator. It does not say where. There is nothing at the bottom. There is no address to where I can write my letter. There is no email where I can shoot a quick email. There is no phone number where I can call. There is not an NRS section listed at the bottom that I can look up on my iPhone. Then I went to the website, and it is not on the website who to contact if you are a CCW carrier and would like written permission to bring your firearm onto the premises.

How does the law-abiding citizen comply with the law? Most people want to comply with the law.

Ms. MOLINO:

We do and will continue to train all of our employees about how these particular provisions will be enforced. A law-abiding citizen who wants to comply with our policies and the law will need to ask any of our employees where to get written permission or how to get written permission and be directed to get that information.

Our MGM Resorts' employees are well trained to answer thousands and thousands of discreet questions from our guests every day. As you can imagine, given the nature and scale of our operations, we have guests who have any number of questions, and they are guided to the appropriate place to get those answers. It is incumbent upon us to make sure our employees are well trained

to guide them to the appropriate place and agent as noted in both the signage and legislation for appropriate permissions. We will provide that training.

ASSEMBLYWOMAN KRASNER:

You are saying people can get verbal permission—that is not written—and do not have to do it in advance; they can do it on the spur of the moment?

Will this bill be amended to say that resorts and properties must put something on their website to inform persons who are CCW carriers who they can write, email or call if they want to get that express written permission?

MS. MOLINO:

The permission contemplated in legislation and the signage is written permission. Guests can ask our employees where they can get the appropriate permissions, and they will be directed accordingly.

In terms of when they should do that? They should do that as soon as they become aware that they do or intend to have a firearm on property in contravention of our policy.

If they are aware that they will be traveling with a firearm and need to bring it on property, then they should call in advance and find out how to get the appropriate permissions or policies with regard to turning over those firearms at the time they arrive.

This is already our policy, so our frequent guests are already aware. As for those guests who are visiting our property for the first time and are not aware of the policy, this bill is not intended to go after people who are making an honest mistake or are unaware.

The bill does contemplate if they only become aware once they are on property. For example, they park in the garage. Under this bill, signage would be required to be posted at every entrance, check-in and at the cages. When guests become aware they are carrying firearms in contravention of our policy, they can engage with our employees and find out what steps they need to take to cure the violation. They can either turn over the firearm, as our customers already do when they come onto property or, in realizing they are violating our policy, they can seek written permission. In the circumstance you are describing, there

is ample opportunity to seek permission in advance and at the time they come onto property in violation of that policy.

ASSEMBLYWOMAN KRASNER:

Let us say I am aware of the law because I went through this hearing, and I am a CCW carrier; hypothetically speaking, I want to comply in advance. When I went to your website, there is nowhere I can write or email. It does not give me an email address or an address. It does not give me any direction. I am wondering if this bill will direct resort properties to put something on their websites so a law-abiding citizen knows what to do?

CHAIR SCHEIBLE:

This question has already been asked and answered. We need to move on.

ASSEMBLYWOMAN HANSEN:

Ms. Molino, numerous times you stated that we already do this, but you need one more tool and this bill for that purpose. I am not seeing that play out yet.

An article referenced some of the violence that occurred on The Strip in the last year and one article in The Las Vegas Sun listed what some of the other resorts are doing. Some resorts have enhanced their security measures and are using metal detectors. The Cosmopolitan of Las Vegas partnered with LVMPD in October 2020 to station officers at every entrance and assist with resort security. On Fridays and Saturdays, it has a certain screening process; they screen bags with metal detectors.

This is such a broad net of mechanisms in place for security. Some of these shootings have occurred outside, not in covered areas, and some were on the freeway right near The Strip.

I still need to be convinced that this broad net does not target the law-abiding people to go after bad actors committed to doing violence when we want to have armed security guards in the building, CCW holders in the building and law enforcement off-duty officers with their weapons as our safety net.

Can you tell me what teeth you need that casinos, such as Wynn Las Vegas or Cosmopolitan and some of these others practice that you are not able to do?

Ms. MOLINO:

We all share the same goal which is to minimize instances of violence in our communities and on the Las Vegas Strip. Ultimately, that is the goal of this bill.

The MGM Resorts have chosen to enact a policy that makes clear our properties, our private properties, are firearm-free zones.

Statute requires our security guards to engage with individuals who violate our policy and provide them with verbal notice before they can be trespassed from our property.

In certain instances, the bill seeks to give our security guards the ability to engage with law enforcement before they are required to give a verbal notice.

Under Nevada law, property owners can trespass individuals for any variety of purposes. It is private property, after all. It is consistent with other laws like public accommodation law. We can enact policies that keep individuals who we do not believe should be on property off of the property.

Senate Bill 452 allows us to engage with law enforcement without a verbal warning in certain circumstances. In those circumstances, that additional tool can help all of our properties, those who desire to opt-in to this and reduce potential incidences of violence.

Those are the laws that exist and how this bill would be put into law in a way to help our property and other properties that opt-in reduce incidences of violence or potential violence on those properties.

ASSEMBLYWOMAN HANSEN:

Are you able to ban people from your properties as it is? If you notice suspicious actions of people who do not respond and you ask them to leave, how do you handle those things now? If someone does not comply with your rules, do you have the ability to ban an individual? You have the famous blacklist where you have individuals who have cheated that you can keep out of the resort. Can you do that if they do not comply with existing laws?

Ms. MOLINO:

As a private property owner, we do have the authority to prevent individuals who carry firearms onto our property in contravention of our policies; we have the ability to trespass them from our properties.

We have to give them a verbal warning if they refuse to comply to either turn over their firearms or leave the property. If they refuse, we call law enforcement and ask them for assistance in removing such individuals from our property. What we cannot do is trespass an individual with a firearm without engaging with them and using the verbal warning. Senate Bill 452 seeks to close that gap.

ASSEMBLYMAN O'NEILL:

Chair Scheible, do we have LVMPD coming to testify? I would like to hear more about these alleged crimes reported by Assemblywoman Jauregui and how many of them concern the resorts or The Strip. How many concerned legal gun owners are there, and how does LVMPD prioritize its response to the resorts now?

CHAIR SCHEIBLE:

I do not believe we have anyone from LVMPD here today. We can certainly reach out to them and follow up with you.

ASSEMBLYMAN O'NEILL:

We have talked about several things so far. I still have not received a clear answer about the time you first realize or think someone has a concealed weapon.

You say you want to engage with law enforcement. Law enforcement prioritizes calls. A robbery takes precedence over a person who you think has a CCW and shootings has a different precedence over robberies; the list goes down from there, but law enforcement does prioritize.

We have not received a clear answer to what you do during the wait time? Do you have six guards follow the person around while you are waiting to engage with law enforcement?

You also have said that the signs are there stating no firearms are allowed. You are telling people what they cannot do. I do not see anything telling the person what they can do. Nothing tells the law enforcement officer who has an HR-218 and is allowed to travel across state lines and carry a concealed weapon, where to go and what to do. They are not going to carry the statutes with them when they come up from Arizona.

You also talk about firearms. When I worked undercover in narcotics, I used to carry a Bowie knife with me. You can have my firearm any day of the week. Put me in at your 21 table with my Bowie knife, and you will have six dead ones before your unarmed security guards can engage.

I am a law-abiding person. You ask me if I have a firearm and I say, "Yes, I do." You say, "Well you are not allowed to." I say, "What can I do"? You say, "You must give me that firearm so I can hold it until you leave the premises."

The 2019 Legislature passed a bill that says you are not allowed to give your firearm to anybody except an immediate family member. Now we have created a law; now we have created new criminals known as the security guards to give the firearm back to me.

An ATF Form 4473 is supposed to transpire. Where are these procedures? I do not see it in this statute being proposed in S.B. 452. Can someone please answer that for me?

SENATOR CANNIZZARO:

I will answer the question of what to do with the firearm. The person is asked to leave the premises. They can walk it back to their car.

If you were a law enforcement officer or a CCW carrier with a firearm and you were to go visit someone in the Clark County Detention Center, you cannot bring that firearm in with you, but the Center can store it for you.

That does not violate the legislation passed in 2019 with respect to background checks. It relates to the transfer of firearms and what is required when someone transfers a firearm to another individual. That is not how that law reads.

If a covered premises were to adopt policies to store firearms, that law does not kick in because it does not apply. It is an inaccurate reading of the background check law, and that is certainly not what is being presented here today.

This bill is similar to what we have for schools, libraries and this very building in that you cannot bring firearms onto the premises.

Frustration over the questions being asked numerous times, being answered and subsequent frustration is not a new concept.

This law does exist in other places where we have said there should be some safety and security built into facilities. It says here, we can, if we choose, as a covered premises to prohibit firearms on the property. If we do that, here are some of the parameters for what that looks like. Policies and procedures will support this. It is a tool for when law enforcement may need to engage.

Law enforcement is always going to prioritize. If law enforcement is only responding to the most serious crime and nothing else, we are never going to pass any laws about that. The whole goal is that if law enforcement is needed to help de-escalate a situation, they have a tool. The important piece to note is that this is similar to how other premises operate that prohibit firearms.

To Senator Donate's point on how you build information and public knowledge about how to address situations, we cannot assume individuals operate in bubbles where they have never been to another common place and been told they cannot bring in certain things.

If you go to a hockey game, you cannot bring in certain things. Sometimes, you have to have a clear purse. You cannot even bring in a purse with other things in it. Sometimes, you cannot even bring in a bag at all. People adapt to those situations. This is not an absurd situation that does not exist in other places. We prohibit guns on school grounds and in libraries in the same fashion. We prohibit guns in this Legislative Building, and people are perfectly capable of complying with that. That is what this bill is.

There is frustration with some of the questions that continue to be answered about what we are going to do about this. Different pieces are built in to address some of those concerns with respect to, "What if someone is at a trade

show and purchases a weapon?" They have to get consent. What if they are law enforcement officers? Then they are exempted by the bill. What are we to do about individuals from the properties who are dealing with folks who may have a weapon on property? We make sure they have these policies, procedures and trainings in place. How are we to notify folks? We will ensure signs are on property at all the entrances, at check-in and at the cashiers' cages, so people are aware it is something they cannot do.

ASSEMBLYMAN O'NEILL:

I do not think you are dealing with this. When you go to the courthouse, you go through a metal detector. I have gone through the metal detector in the courthouse as I identify myself as a law enforcement officer. They will ask me, "Are you carrying"? I respond, "Yes." They respond, "We have lockboxes right here under guard, would you put your weapon in there?" I do that. I have the key. There is no master key.

I have not heard any of that discussed here in S.B. 452. It tells me what I cannot do. There is no information of what I can do. When I walk into that casino or premise, I am not going through a metal detector. You have not addressed that question.

You have not addressed other weapons. When I worked undercover, I carried the Bowie knife. I have seen what can be done with a knife, whether large or small. We are just going around and around.

I disagree with you. When I have put that firearm someplace in the casino because I do want to stay there, give them my money and maybe win a few dollars back, I have no control over that firearm.

I disagree with you on what was done in 2019. I had no control over that firearm. I think it does require an ATF 4473 action on both parts—when I surrender it and when I get it back. We are beating around the bush.

ASSEMBLYWOMAN SUMMERS-ARMSTRONG:

All of the places mentioned with processes in place are public buildings. There are scans downstairs. This is a public building as is the courthouse, and I worked in one for several years. These rules, this law that you are presenting today, has to do with private business.



What prohibits MGM Resorts from hiring professional armed security to handle the issue of dealing with those who might be carrying weapons in contradiction to your policies on your premises?

Ms. MOLINO:

Our security guards believe that de-escalation on their own is not an appropriate response, and what they need is additional assistance from law enforcement in another set of circumstances.

In response to Senator Donate's friendly amendment in [Exhibit B](#), a specific plan in that amendment goes directly to one of the issues you have raised which is the ability of a resort to handle this on its own without going to law enforcement and to build de-escalation techniques into this. We support that.

The response from our facility is through an armed or unarmed guard. When our security guards read a situation such as where violence could be imminent, they believe law enforcement assistance is necessary as an option where de-escalation by the property itself will not be an effective solution to mitigating the potentially violent situation that could occur.

ASSEMBLYWOMAN SUMMERS-ARMSTRONG:

You are saying that MGM Resorts does not want to be responsible for de-escalation, but you would like our law enforcement to come on private property and be responsible for de-escalation on private property.

I have heard several explanations. There is no fiscal note to talk about how this may affect policing in our communities if we have police responding to your internal issues. There is no explanation about the example from Senator Donate of education, enforcement and engineering that is a public policy procedure, yet the education piece is being woefully ignored. There is no commitment from your organization to put into this law a requirement for education, organization and commitment for engineering, only that we are required to have our police do the enforcement on your behalf.

I went to Southwest Airlines website and a fact sheet "Before you Travel" that every time you book a ticket with Southwest, tells every traveler, "before you travel do not forget your mask, do not forget you cannot carry a firearm, do not forget that you cannot have water." It lists all of the things you cannot do.

That is education, and that is engineering. I do not see any of that inside of this law, and I have not heard from you or anyone else as to a commitment to educate the public about S.B. 452.

We have talked about this before. This is nothing new. You and I have had several conversations. I am concerned that this leads to stop-and-frisk.

There are 172 locations in the City of Las Vegas, City of North Las Vegas and Henderson that have unrestricted gaming licenses. Nothing in this law specifically requires all of them to provide the same education to the public, the same engineering to the public, meaning all of them would have to put this on their websites so anyone visiting any location would know the dos and do nots, where to store a weapon and the approach to have a weapon locked up.

I am concerned about the ability for misinterpretation, and then we have people caught up. To the point that Assemblywoman Bilbray-Axelrod said earlier, "When we do not have a demand for a verbal warning, we will have situations where Black and Brown folks are the ones who the police are called on."

I have a commitment to my community that I do everything I can to keep them safe. Every single time there is an interaction with police for Black and Brown people, the opportunity for it to go sideways is great, and we just do not want that.

Without a commitment for notice as part of the law—because policies change depending on who is in charge—there needs to be some more meat in education, enforcement and engineering.

Ms. MOLINO:

I understand your concerns that this bill may create a fiscal impact. I would like to address a few of the points you made which are important ones.

In the friendly amendment that Senator Donate offered, [Exhibit B](#), there are specific requirements for unrestricted licensees that opt-in to provide training with our security guards around de-escalation techniques, diversity training and implicit bias.

In terms of the required training, the three categories that Senator Donate articulated are not just required as a matter of policy but required as a matter of law. We are not asking that police perform de-escalation on our behalf. In fact, our security guards will be required to understand de-escalation techniques as a condition of our ability to opt-in to the statute if enacted.

With regard to your comment of police responding to internal issues, that is not the case here. Police would respond to incidences where there is a potential of violent engagement on our property. We all are aligned in wanting to reduce any incidents of violence that would occur in densely populated areas like our properties.

With regard to security guards themselves, this is a diverse workforce. We have a minority population of security guards; 60 percent of our workforce is diverse.

With regard to the example about Southwest Airlines and its ability to provide that sort of warning. It is a very different circumstance. We are placed as a public accommodation where our doors are open to the public. We do not provide boarding passes. We do not have that sort of direct ability to provide a written warning to every individual who comes onto our property.

People come in just for dinner, and they come to play on the casino floor. They may visit the gift shop to buy something, or they go to the spa. People come in for a variety of reasons where we are not providing them with a direct warning—where they are not using our website. They may be staying somewhere else or they live in town and are visiting our property. Circumstances and our ability to engage with our customer base is very different because we are much more expansive to the extent that we are open to the public in a way that an airline is not, for example.

With regard to the training required, we take Senator Donate's friendly amendment seriously in its required components for diversity and implicit bias training, as well as for de-escalation.

ASSEMBLYWOMAN SUMMERS-ARMSTRONG:  
Does the MGM Resorts have a website?

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Ms. MOLINO:  
We do.

ASSEMBLYWOMAN SUMMERS-ARMSTRONG:  
Do the restaurants, spa, barber shop and coffeehouse inside of your hotel have websites of their own? Or are notices encapsulated on your website?

Ms. MOLINO:  
I believe they have landing pages within our home page.

If you want to go to Catch, you navigate to it through the Aria website.

ASSEMBLYWOMAN SUMMERS-ARMSTRONG:  
The MGM Resorts would be the mother ship; these other smaller businesses would have landing pages with information about where they are located, a map for how I can get to the spa, and then afterward get my coffee and whatever. So if MGM Resorts is the mother ship and puts the information about its policies on its website, whether there was a follow-up ping if someone books something or not, it does not matter. If MGM Resorts and any other nonrestricted licensed gaming establishment that want to participate in this are required to put that information on its websites, a lot of this would be solved. It would answer all of the questions asked earlier. Such questions were from Assemblywoman Krasner who said a person would know where to apply, and Assemblyman O'Neill said a person would know where to store the weapon or who to turn the weapon in to. A person attending the SHOT Show would understand how much time was needed to get an unloaded weapon to a particular space to have it locked up legally so he or she would not get in trouble. A person who traveled across the Country, as mentioned by Assemblywoman Cohen, would know not to take the weapon inside without permission and would know where to go get it.

Would MGM Resorts or any other unrestricted gaming facility put this information out there? You are not allowing anyone in the public to have one spot to get data. If you have to ask someone, you can point to that website.

It is the responsibility of the mother ship asking for this law to make a commitment to inform the public, the entire public. If it is on the website,

anyone can ask, and I do not see it in here. I only see some vague policies and procedures that can change with new leadership.

Ms. MOLINO:

We do not have an objection to a requirement as a condition of opt-in to have a page on our website that outlines our policy. We would be happy to accept an amendment requiring that as an opt-in condition.

ASSEMBLYWOMAN KASAMA:

This bill is for nonrestricted gaming properties, and on those properties, we also have condo hotels. We have people who, for example, own the units individually at the Signature Towers. The S.B. 452 amendment under subsection 3, paragraph (b), subparagraph (2) exempts residential unit owners who can carry firearms to their units and provides information on that.

Many of those owners put those units in rental pools, or they have them with Airbnb. There is no mention of how that would work. If the owners are allowed to carry a weapon and decide to rent out those units, then is the tenant or the short-term occupant for the weekend exempted if the owners are allowing that? There is no clarity, and that needs to be addressed because there are a lot of those units down on The Strip.

Ms. MOLINO:

The bill contemplates that the owner himself or herself is exempted from the bill as a matter of statute itself.

With regard to guests of those facilities, MGM Resorts in its entirety is a gun-free zone. It is our policy that we do not want any firearms on our premises.

To the extent that an individual who owns a condo within our facilities is renting out one of those condos to a person who is carrying a firearm on the premises, that person would be subject to this statute as drafted. If that person is already covered by an exemption, that exemption would apply.

To the extent that person would like to get written permission from the owner, operator, agent, or one of our authorized agents, that person who brings

a firearm onto the property and realizes that firearms are not generally permitted may turn it over to an agent of our property as is permitted in this bill.

There are ample opportunities for an individual who is renting out a condo on our premises to seek an exemption or turn over that firearm, consistent with the provisions of S.B. 452.

ASSEMBLYWOMAN KASAMA:

That tenant or short-term occupant for the weekend would not be covered under the owner's exemption. What about an owner's relative? They have their brother coming and staying with them.

We need to have that clarity in S.B. 452 because it is not clear.

Ms. MOLINO:

The bill does contain an exemption for an individual owner. If an individual is bringing a firearm onto the premises who is not the owner, then that person would be covered by the bill as any other resident or guest of the Resort.

ASSEMBLYWOMAN GONZÁLEZ:

I am still confused and concerned with a lot of what my colleagues have stated about guns on The Strip. Assemblywoman Summers-Armstrong brought up that businesses and entities fall into this nonrestricted gaming license.

Subsection 4 of [Exhibit B](#) talks about de-escalation. What are your de-escalation policies? I do not think we have had that conversation. It also says there needs to be a requirement for cultural diversity, competency and implicit bias training. Those all mean separate things. What does that mean to what business and what training?

Across the Country, even police departments have these policies, and we are still having deadly interactions with people. You also stated that this is an enhancement tool. What other tools is your business using to address this issue?

Ms. MOLINO:

With regard to our existing training, we have an entire training manual our employees are required to abide by in how to treat our guests. With regard to

making sure that none of our policies are applied to our guests in a disparate way, we take that seriously. They are required to go through diversity training; they are required to go through training that makes sure every single guest must be treated in the same manner with regard to all of our policies, not just this one.

Senator Donate's friendly amendment includes additional provisions that would require us to provide training on de-escalation, cultural diversity and implicit bias—not because MGM Resorts has not undertaken that to date—because to opt-in as a condition of this particular bill, every single property would be required to implement those policies.

I cannot speak for other properties that would desire to opt-in, but it is to ensure a minimum baseline of training across the board.

You referenced enhancements. The way statute works is that for our agents to remove an individual from our property who is violating our existing policy that MGM Resorts is a firearm-free zone, they must engage with that individual and provide a verbal warning before law enforcement can be called.

In those circumstances where our security guards believe they need firearm assistance to prevent a violent situation from unfolding on our property, S.B. 452 allows them to call for law enforcement assistance without fighting that verbal warning.

They will not do this in every incident, but the bill provides that option so we can make sure that our resorts continue to be as safe a place as possible.

ASSEMBLYWOMAN GONZÁLEZ:

You can only speak to MGM Resorts policies and procedures. We are allowing over hundreds of businesses to opt-in to this policy. We do not know what their training is and who is doing the training. We do not have standard training for everyone that will be opting-in to this policy.

How often are people doing these trainings? Do you do it when you first get hired and that is your implicit bias training? Are there reoccurring trainings? I have concerns about this training or saying, "We do this training, we are all good to go, and nobody has implicit bias." We all have implicit bias.

Ms. MOLINO:

I can only speak to our policy which is annual for all training.

ASSEMBLYWOMAN GONZÁLEZ:

Is the issue that LVMPD is not responding to these trespassing calls? How does this provide more teeth when you already have the ability to call LVMPD?

Ms. MOLINO:

You have highlighted the problem. The problem is we do not have the ability to call LVMPD unless we have provided a verbal warning. Even in incidents where our security guard believes that violence could be imminent because an individual is carrying a firearm, our security guards cannot call LVMPD for assistance unless they first engage with the individual and provide verbal warnings. If there is a reasonable belief that this situation could imminently turn violent under existing trespass law, our security guards have to provide a verbal warning and directly engage with that individual.

There is a narrow, important gap that this bill is seeking to resolve.

ASSEMBLYWOMAN GONZÁLEZ:

We are seeking to address an issue that may or may not happen? Have there been examples where people did not want to leave after you approached them and then it became violent? We have a lot of examples of shootings on The Strip and the uptick in violence.

How many times have you approached an individual with a verbal warning who did not want to leave and it then became a violent situation?

Ms. MOLINO:

There have been circumstances where we have sought to trespass individuals because they have refused to leave the premises after a verbal warning.

ASSEMBLYMAN ORENTLICHER:

I am curious about the covered premises definition mentioned by my colleagues. It has a fair amount of breadth.

A list from the Nevada Gaming Control Board, included nonrestricted license locations in Albertsons on South Rainbow, several Vons grocery stores,



Dotty's and a Smith's on North Rainbow. The focus of this has been on casino resorts, the violence there and assurance to tourists, but the definition of covered premises seems to get a different universe of the line between restricted and nonrestricted.

Is it true that it is more dangerous to go to a Smith's than to a CVS or a 7-Eleven? And that it is more dangerous to go to a gaming establishment than a nongaming establishment? Why is it so broad?

You could borrow from another bill. Instead of saying nonrestricted license, you could say nonrestricted license associated with a hotel that has at least 175 rooms.

Why does the definition not seem connected to the purpose of the bill?

MS. MOLINO:

The bill is intended to get at a particular set of circumstances as the ones we have been discussing here today.

The definition of covered premises when this bill first started was much broader than this bill, and it covered different real property that could be impacted.

The bill was narrowed to cover only a particular subset of private properties—nonrestricted licensees—in large part to address concerns raised during the course of this conversation today, making the bill not overly expansive and for implementation by private property owners. A lot of the elements in place have been raised with regard to diversity training to make sure that any sort of disparate impact this bill might realize is mitigated to the extent possible.

From MGM Resorts' perspective, we would not have an issue with further narrowing the bill to include only a certain subset of nonrestricted licensees. I cannot speak for others, but we have no substantive concern.

CHAIR SCHEIBLE:

I would like to ask our legal counsel to weigh in on this subject because we have been focused on these trespassing warnings and calling police for trespassing. Is there anywhere else in the law that the concept of requiring

a verbal warning before a private individual is allowed to contact law enforcement applies? Does that exist elsewhere in the NRS?

NICOLAS ANTHONY (Counsel):

I am not aware that any other warning is required under law. If a crime is being committed, a property owner or anybody else who witnesses the crime could immediately call law enforcement for assistance prior to being given a warning.

CHAIR SCHEIBLE:

The issue is because this violation of policy only rises to the level of a trespass once the policy has been violated in those unusual but dangerous circumstances where somebody is unwilling to comply, you are out of options because they are not in violation of the law; they are only in violation of the policy, and to call the police would be a trespass violation. There is no underlying prohibited conduct occurring. Senate Bill 452 would give you the teeth you need to ensure people are not bringing firearms onto your property; if they are, you can respond accordingly.

Am I understanding that right?

Ms. MOLINO:

That is exactly right.

CHAIR SCHEIBLE:

I want to clarify with the bill sponsor and the sponsor of the amendment that the intention is to mirror the language we utilize for schools and libraries. The way those exceptions work and the way people can receive permission to carry would be the same because we have more people entering casinos every single day than we do our libraries, but they are a place of public accommodation. There is a policy choice to say these are places that have children, families and visitors—people who deserve the same kind of protection we afford to schools and libraries. Is that accurate?

SENATOR CANNIZZARO:

That is correct. This language includes additional parameters to ensure training; policies for de-escalation, cultural diversity, competency and racial profiling; and unique circumstances for residential unit owners. That is the intent.

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NIDA ALVI (Everytown for Gun Safety):

We are the largest gun violence prevention organization in the Country with nearly 6 million supporters including moms, mayors, survivors, students and everyday Americans who are fighting for commonsense gun safety measures that can help save lives.

In October 2017, Nevada experienced the deadliest mass shooting in modern history when a gunman open fired on a concert in Las Vegas. Within a matter of minutes, he killed 58 people and injured over 400.

Since the horrific tragedy, the Las Vegas Strip has seen a drastic increase in gun violence in the past few years. Under Nevada law, the rules for businesses that choose to prohibit guns on their property are vague.

Senate Bill 452 will provide clear rules for certain businesses that wish to prohibit both open conceal-carry guns on their properties and ensure law enforcement officers have the tools they need to enforce the law.

Open-carry is a dangerous policy. Research shows the presence of a visible gun makes people more aggressive. It is exploited by right to premises and opposed by law enforcement and the public. Furthermore, guns and alcohol do not mix. There is strong evidence that people under the influence of alcohol are at an elevated risk of violent behavior including gun violence. The public recognizes this danger and overwhelmingly opposes allowing people to bring guns into establishments where alcohol is consumed.

Nevadans deserve to be protected against the threat of gun violence on the Las Vegas Strip, the casinos and other establishments.

JIM SULLIVAN (Culinary Workers Union Local 226):

We support S.B. 452 with the proposed amendment, [Exhibit B](#), from Senator Donate because allowing firearms in casinos and hotels is a worker safety issue. While we support legal, responsible gun ownership, all workers deserve to be protected from gun violence at work.

Senate Bill 452 will help make that a reality. The bill would neither discourage and prevent legal gun ownership nor impede on responsible gun ownership.

The bill includes a commonsense message which gives businesses the option to protect their employees and guests from gun violence in their own facilities.

During the October 2017 shooting, thousands of Culinary Workers Union members saw firsthand the effects of gun violence. Five members were injured in the mass shooting, and countless other workers sought therapy for post-traumatic stress disorder after that tragic incident.

The Culinary Workers Union members contend that no hospitality worker ever has to experience that trauma again.

Gun violence on the Las Vegas Strip and downtown could threaten the economic recovery Nevada desperately needs. More than a year since the beginning of the pandemic, the Culinary Workers Union has approximately 50 percent of workers still unemployed as the State's thriving industry, hospitality, was hardest hit during the pandemic. Economic recovery will not be possible without workers getting back to work and being safe while at work. Senate Bill 452 will protect workers and celebrate Nevada's economic recovery.

We hear and understand the concerns regarding this bill. As an organization committed to both social justice and workers' safety, we did not come to this support easily.

As the largest organization of immigrants, Black, Latin and Brown workers in Nevada, the Culinary Workers Union is antiracist and against all forms of racism and oppression.

Our 86-year history in Nevada is filled with crucial space for equality as we ensure working families are treated with respect and dignity. We will hold this Body accountable for equity and will continue to challenge racism in the workplace, including how this law is enforced.

We urge you to support and pass S.B. 452 with Senator Donate's proposed amendment.

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TROYCE KRUMME (Las Vegas Metro Police Managers and Supervisors Association):

I am here in opposition of S.B. 452. This bill only exempts members of law enforcement on duty at the time they are on property. Therefore, this bill explicitly criminalizes active, qualified law enforcement officers from carrying concealed while off duty.

The Law Enforcement Officers Safety Act of 2004 addressed the topic of officers meeting the definition of qualified officers to legally carry concealed in all 50 states notwithstanding state law. While provisions in the law apply to private entities creating rules to disallow such conduct, the spirit of that law is to ensure law enforcement can carry lawful firearms for the purpose of protecting themselves, their families and based on the nature of their jobs.

Criminalizing such behavior with this bill creates unnecessary dangers to police professionals in our State. I have been in law enforcement for over 20 years in Las Vegas. On multiple occasions while off duty, I have happened to cross individuals whom I have arrested in the capacity of an officer, including some who have served prison time based on investigations I was involved in.

On one of those occasions, I was confronted by an individual while my child was with me. None of these occasions resulted in a physical altercation, and I did not have to use my firearm, but I am thankful I had it with me.

This bill will increase interactions between police and otherwise suspected armed, law-abiding citizens.

Contacts such as these have the chance of being emotionally charged, unnecessary interactions. As we have seen in the media, when those interactions result in tragic outcomes, the police bear the brunt of the public outrage.

I encourage this Committee to vote no on S.B. 452.

JOHN ABEL (Police Officer, Las Vegas Police Protective Association):

I testify in opposition to S.B. 452. This proposed legislation creates the potential of an armed confrontation between normally law-abiding citizens and law enforcement officers inside crowded businesses which is very dangerous.

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I have studied the proposed amendment, [Exhibit B](#), and the language still does not take away that danger of potential armed confrontation between law enforcement officers and citizens. We live in a time of trying to limit a police officer's use of deadly force against all people. This bill goes in the opposite direction.

To answer your question, Assemblyman Wheeler, if someone says no and the police are called, they are going to come with lights and sirens. If police are told armed people in the casino are not listening to requests to leave and there is probable cause, officers will respond, potentially take them out in the middle of the casino at gunpoint and take them into custody. I do not think any of us want that.

ATHAR HASEEBULLAH (American Civil Liberties Union of Nevada):

We stand in firm opposition of S.B. 452. This simply is not a bad bill that has good intentions, this is a potentially deadly bill with good intentions. No amendment to this bill—no matter how well intended—can fix its potential outcomes. This bill is inherently unredeemable and a pretense for dangerous and racist stop-and-frisk policies that have plagued our Country and our State over the course of time.

To illustrate that point, did any of you think that the American Civil Liberties Union (ACLU), Progressive Leadership Alliance of Nevada, police unions, National Rifle Association and other groups would come together this last week of Session on this type of bill? This is half-baked at best. This bill, as currently drafted, largely reflects language from a previously dead amendment to Assembly Bill (A.B.) 286 brought back in this new form the last week of Session.

[\*\*ASSEMBLY BILL 286 \(3rd Reprint\)\*\*](#): Prohibits certain acts relating to firearms.  
(BDR 15-21)

I am a person of color first and foremost before I am Executive Director of the ACLU and before I am an attorney. I am a gun violence survivor. I have been shot at. I also have been detained by police five times in three jurisdictions. None of those were friendly. There were no practices related to de-escalation, and you heard no testimony from a single law enforcement agency that spoke of its de-escalation tactics.

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This bill would provide private security for a private business like MGM Resorts. If MGM Resorts wants to engage in hiring armed security, they can do so. The last I checked, they were not strapped for cash.

We stand with our friends and members of the Culinary Workers Union. We have represented them in First Amendment cases. Suppose an off-duty officer suspects the form of a bulge or an outline of a firearm in a person's pocket on the casino floor, and they are racially profiled as Black and Brown individuals, in that case, we will represent those individuals afterward when they are accosted and searched unlawfully because a new crime has been committed.

I am encouraging both Judiciary Committees to take a better look at this and perhaps turn it into a study that has been done over and over to assess the proper way of implementing such a policy to prevent gun violence.

DAN REID (National Rifle Association):

We are in strong opposition of S.B. 452. We are proud to stand with this broad coalition of groups as the ACLU just testified so eloquently about many of the issues.

Questions from the Committee outlined many of the problems of this bill. There is a lot of uncertainty for people of how to comply, why this is truly necessary and why MGM Resorts cannot take care of their security on their own without creating this new crime that would result in at least suspension or revocation with CCW for someone who may have accidentally parked in the wrong parking lot or not been aware of the signage when going onto the casino floor.

This bill is unnecessary and could implicate a lot of good people, as well as residential unit owners or lessees on that property. Residential owners are specifically covered in the original bill that is broader, but the amendment narrows that down further. It would specifically be to the owner, whereas a family member, significant other, a child, or so forth, who may be residing there probably will not fit into that definition and be stripped of the ability to carry a firearm in and out.

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It also begs the question of how do you know if someone has permission? How do you not get into that situation, especially with the amendment where we are removing the warning language? They are not mandated. You have to ask why the verbal warning in the original bill for some people is taken out of the second bill.

If this were to pass, there is no obligation on private property owners from excluding people to increase security measures on their own.

For that, and many other reasons, we are in opposition to S.B. 452.

JOHN PIRO (Chief Deputy Public Defender, Clark County Public Defender's Office):

We echo the comments of the ACLU. Gun violence is obviously a sticky issue, but we are concerned with some of the stop-and-frisk policies that this bill may put in place.

We welcome the National Rifle Association and Nevada Firearms Coalition to stand with us on other stop-and-frisk issues that come up in the Legislative Body. Because of the ones that are a result of this bill, we are in opposition at this time.

RANDI THOMPSON (Nevada Firearms Coalition):

We are here in opposition of S.B. 452. I want to say ditto to what has been said before.

BRUCE THOMPSON:

I am a resident of Carson City. A lot of what I had prepared has been covered. I got the opportunity to distill a lot of what I have heard. There is the cliché but truth that this bill will not affect anyone with illegal intent on their mind. This will not stop any of them from bringing guns into a casino. This only punishes by criminalizing normally law-abiding citizens and an unarmed security presence in a casino does nothing to guarantee my safety by disarming me and then having to wait for the police to show up.

The definition of covered property is any real property owned by someone with a nonrestricted gaming license. For example, the Atlantis Casino Resort in Reno



owns two strip malls adjacent to the casino itself. Many businesses that I would go into have nothing to do with gaming but rent property from them. This suddenly makes me a criminal because I decided to go grocery shopping across the street from the Atlantis. Nothing delineates the casino from any other property this license holder owns. To me, that is not good.

The crux of this bill appears to allow the casino operator to get the police there, make the call, without having to do a verbal warning. Well then, great. Come back in 2023 and work on trespassing laws. Why assign a criminal penalty to legal carriers? Instead of going to the root cause of what you want to fix, you want to call the police before you give anyone a verbal warning. Fine, then address that law.

A lot is missing from this bill. That is what happens when you rush something through as an emergency and do not properly write it.

BILL BOWEN:

I am a resident of Reno here in opposition to S.B. 452. I wrote a letter to each one of you regarding this issue. I will give you an incident that happened to me a few years back.

When trying to go to a restaurant with my wife, a person thought the parking place I was going in was, in fact, his; within a short time, he produced a meat cleaver and came at me with it. Yes, I was a CCW carrier, and I have one in my wallet today. He was put on the ground and taken into custody by police.

With S.B. 452, you are trying to victimize citizens of this community because they are unable to protect themselves. When I go somewhere and cannot have my CCW because someone has not granted special dispensation, then I am left unprotected.

During 2020, Americans purchased about 23 million guns, an increase of 64 percent over 2019 sales, and 23 percent of those were to women. Why are women purchasing guns? There are protection orders and all kinds of other issues they need to protect themselves from. If they go into a shopping mall and a sign says they cannot have a firearm, what happens to them? They cannot protect themselves.

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Victims have seconds to defend themselves and cannot wait for law enforcement that is sometimes 20 minutes away. I worked in law enforcement and know that to be a fact.

We have an issue as far as the Nevada Constitution itself under Article 1, section 11 that states, "Every citizen has the right to keep and bear arms for security and defense, for lawful hunting and recreational use and for other lawful purposes."

As a CCW person, I am basically told that all of the training I went through and the process is no longer good and someone else decides.

PATRICK HORGAN:

We are passing laws, complicated laws, to control the lawless. The Crime Prevention Research Center in a 2018 analysis focused on mass public shootings from 1998 to 2018 and reported 97.8 percent of incidents took place in gun-free zones.

If you want to be proactive about this, you are eliminating the first line of defense. A more effective sign would probably be, "staff is armed and trained."

If you think laws will deter criminals, why not pass a law outlawing evil, be done with it and call it a good day and go home? You could probably pass it unanimously so the psychopaths would know that you really mean business.

DIANTE:

I am representing myself in opposition of S.B. 452. I am in opposition because we have lost the majority of our leadership because of the attorneys at the MGM Resorts. Why could we not hear the death penalty as well as a joint session with this because these are the most important things legislated?

This bill, as well as all of the other watered-down police accountability bills, butchered the Session again and disproportionately put Black and Brown people at risk of being killed for exercising their right to bear arms.

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KENDRA BERTSCHY (Deputy Public Defender, Washoe County Public Defender's Office):

We agree with the idea of finding ways to reduce gun violence on The Strip and across Nevada. We disagree with the creation of this strict liability, gross misdemeanor offense for an honest mistake or simply being unaware.

As this bill is written and amended, someone on the property asking for permission to be on property with a firearm is already guilty of this gross misdemeanor.

Our main issue has been already stated by previous callers, but I would just note that the lack of a verbal warning is concerning. Sometimes, people may miss signage or go in an entrance with no signage even though there is all the hopes for that happening.

As members of the Assembly Judiciary Committee know, that happened to me when I showed up to testify for my first in-person hearing where I went to the tent and was told just to go to the back entrance, like I have done every single day last Session. Unfortunately, I missed the security checkpoint, went into the Committee room and was removed. Luckily, the Capitol Police gave me directions, told me to go through security and pointed out the room. If I would had been on the MGM property, instead of having Capitol Police nicely explain the situation, it could have been a very different and dangerous situation.

All of us have been in situations where we may just not have known the law or have made an honest mistake, but those individuals would now be convicted of a gross misdemeanor.

CHRISTINE SAUNDERS (Progressive Leadership Alliance of Nevada):

I am here in opposition to S.B. 452. The Progressive Leadership Alliance of Nevada (PLAN) considers that S.B. 452 would enable casinos to implement stop-and-frisk policies. We can see from many other jurisdictions that these kind of tactics resulted in more racial disparity.

In 2020, nearly three-quarters of the staff from LVMPD were Black people despite Black residents having only 46 percent of the population.

In 2011, 84 percent of the people in the New York City Police Department were people of color. Black and Latino residents only comprised about 23 percent and 29 percent, respectively, of the population.

Casinos are not immune to this kind of profiling. This bill will lead to increased encounters with law enforcement which is dangerous and deadly for Black and Brown people.

Recent data highlighted in *The New York Times* article showed that students heavily exposed to stop-and-frisk were more likely to struggle in school. The young men were more likely to experience symptoms of anxiety and depression, but this exposure factored cynicism in policing and government at large, and it made residents retreat from life.

If we want to keep Nevada safe, we need to ensure that includes protecting people of color from potentially harmful stop-and-frisk tactics.

JANINE HANSEN (State Chairman, Independent American Party of Nevada):  
We oppose S.B. 452. I have had a concealed carry permit for over 25 years. As a woman, it is critical for my personal protection and that of my family.

Gaming establishments can already post a firearms prohibited sign and prohibit people from carrying a firearm.

By expanding gun-free zones, this bill puts law-abiding citizens at risk. When they advertise to criminals that they need not fear that anyone will be able to defend themselves, we invite criminal activity.

The Crime Prevention Research Center founded by Dr. John Lott found that 98 percent of mass shootings occurred in gun-free zones between 1960 and 2016.

According to a 2007 study published by the *Harvard Journal of Law and Public Policy*, the more guns the Nation has, the less criminal activity. Where firearms are denser, crime rates are lowest. When guns are less dense, violent crime rates are the highest. This explains why many shootings take place in gun-free zones like schools and movie theaters rather than police stations and gun clubs.

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In the Nevada Constitution, Article 1, section 1 states, "All men are by Nature free and equal and have ... rights among which are those of enjoying and defending life and liberty." Article 1, section 11 states, "Every citizen has the right to keep and bear arms for security and defense."

This bill violates our right to keep and bear arms, and it makes us subject to arbitrary enforcement. We oppose S.B. 452.

BOB RUSSO:

I oppose S.B. 452. This bill clearly targets law-abiding, concealed carry permit holders. Senator Hansen and the Senate are not the people committing gun violence.

It would be in the best interests of casinos to allow permit holders to conceal-carry on their properties.

Statistically, crime rates drop when citizens are known to be armed. They stopped them in Detroit in 2014 under Police Chief James Craig, who encouraged gun ownership for the citizens in his jurisdiction.

There are many occasions in which responsible gun owners have prevented mass shootings from occurring. A 2009 workplace shooting in Houston, Texas, was halted by two coworkers who carried concealed handguns.

In 2012, a church shooting in Aurora, Colorado, was stopped by a member of the congregation carrying a gun.

How many more lives would have been lost in the above situations had the assailant not been confronted by those carrying and trained using a firearm? Police and security are not always available.

Congressman Thomas Massie shared a story about a former staff member who watched as her husband was killed in front of her because she followed gun control laws and the assailant did not. She left her conceal-carry weapon in her car because it was a gun-free zone. This is a sign that criminals do not pay attention to gun free zones.

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Half of this bill does talk of law-abiding, conceal-carry permit holders who may accidentally carry a handgun into a casino, not the criminal who ignores gun control laws.

The lack of clarity on the procedures the public must follow could be an unnecessary source of conflict and justifies the bill's opposition.

JIM DEGRAFFENREID (National Committeeman for the Nevada Republican Party):  
I testified against this bill when it was A.B. 286 and considered by the Committee but rejected. This language was all taken out of the bill. We object to taking valuable legislative time to review issues already done. The bill did not settle in this Session.

It is telling that the ACLU, PLAN, law enforcement and the National Rifle Association are all united in opposition. I second all of the excellent testimony given earlier, particularly by the ACLU.

This bill is supported by outside groups funded with millions of dollars from Michael Bloomberg. It is not supported by Nevadans. If you check the website, you will find the original bill has 3,342 opponents against the bill and only 524 Nevadans in favor.

If MGM Resorts wants this bill, it may be that a municipal ordinance would be more appropriate rather than infringing on the rights of all Nevadans Statewide. We urge these Committees to please oppose S.B. 452 and get on with more important work.

THERESA DEGRAFFENREID:

I am speaking for myself as a Nevadan. I have worked in security at a major casino in Nevada. I have never had any problems with people who I have approached and asked to comply with my request to leave the premises to secure their weapons in their automobiles.

Because of our protocol and rules on the property not to have a firearm, the first time I explained the weapon needed to be taken off the property, the owner was angered by it but complied, took the firearm to wherever and came back afterward.

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I am finding it difficult that MGM Resorts is trying to implement this. It seems to be bringing potential laws for problems that are not a major problem.

I wish that you all would vote no on S.B. 452.

JAMES CARR:

It is terrible public policy to attach criminal penalties to violations of private sector rules and regulations. It is a more terrible policy to admit unequivocal requirements for an oral warning much as to involve law enforcement for the element of the crime.

It is important for everyone to notice that I am intentionally using the word "oral" instead of "verbal" because they have different meanings.

We have heard much testimony regarding how casinos and their security may handle this legislation. What I have not heard is how this legislation may be handled by law enforcement in a proactive manner. We cannot forget that law enforcement will not only be acting on this legislation in the point of calls for service but also in the form of officer-initiated stops. Senate Bill 452 will provide gang units and saturation patrols with whatever excuse to stop people, especially young Black males on the Las Vegas Strip.

This activity is something the Legislature should be seeking to limit, not increase. Without a requirement for an oral warning, police may have reasonable suspicion to detain people within the property boundaries, not necessarily the buildings or structures but by the premises, if there are indications of firearm possession whether real, perceived or fabricated.

It does not involve people who are actually possessing a firearm but people who police officers believe or pretend to believe are possessing a firearm within the property boundaries.

You should expect to see stop-and-frisk activity results not only from casino calls for service but more often from the state of practice of proactive policing often seen in urban areas.

We can expect undesirable use-of-force events. I, therefore, urge the Committee to object to this bill.

MIKE HAWKINS:

I am responding to this bill in opposition. I am against any other attempts to curtail conceal-carry rights. I have been in many casinos where they have had calls for security met by more than one individual when they have a potential problem. Usually, hired security are in the six feet two inches or six feet four inches range, and three or four of them prevent anything going wrong. I have never been around anybody who has had these gun problems. Mostly it is drunks. The only times I have heard of guns going off in casinos has been when gangs have come in with guns illegally and had shoot-outs, like they did down in Carson City, Reno and Laughlin.

I am a 100 percent gun owner. I am 100 percent against giving this casino a free pass on liability for having these problems in their casino. They should not be calling the police; they should have armed security in their casino. They do not have to have everyone armed because they have a system that calls their people to a certain area when they need the help. I oppose this bill.

JOEL FRIEDMAN:

I am speaking on behalf of myself and my fellow gun owners. I live in Henderson, and I am 73 years old. I am a documented, certified handicapped person.

This Legislature needs to understand that it has two choices concerning this bill. The first one is to simply vote it down, eliminate it or postpone it, and have it come back next Session. The bill was poorly written and cannot be fixed in 2 weeks for 172 entities.

I find it upsetting that while off-duty law enforcement officers are not an exclusion, there is no exclusion for people with active conceal-carry permits. The people who have a permit have been vetted by the government as law-abiding citizens. They have taken tests to prove their ability to use a firearm properly. The process takes time and is necessary to confirm these people should be allowed to carry a concealed firearm. These people are people who comply with the law and have done everything possible to protect themselves while complying with the law.

As the bill is written, persons wishing to protect themselves get one slap on the wrist and then become prohibited persons who lose the right of conceal-carry,



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as well as possibly the owners of all firearms while facing possible fines or jail time for exercising the right of self-defense.

I am incapable of running away, and I am a little old for physical fighting.

Nothing in the language allows for the liability of the owners. There is a problem in exiting as there could be a danger in getting to your car, an Uber ride or taking public transportation.

LYNN CHAPMAN (Nevada Families for Freedom):

We oppose S.B. 452. Our borders are wide open, and who has come into our Country? Do we even know? No, we do not. Do we know what weapons they may be bringing with them? No, we do not.

I heard on the news on May 10, that in one month's time, over 6,000 known terrorists, rapists, child molesters and murderers from around the world have been apprehended at our border; those were the ones they caught. How many were not caught? What type of weapons may they have brought with them?

What about gangs in our Country? What about drug cartels? Both are heavily armed and usually outgun our own police. Once again, you keep going after law-abiding citizens with more laws that do nothing but disarm them.

Were the people who did the shootings at the Las Vegas Strip CCW holders? Of course not. How many more laws targeting law-abiding citizens will be presented that you think criminals will start to follow?

You need to focus on the lawbreakers—the terrorists, criminals, gangs and drug cartels—and stop taking law-abiding citizens' right to defend themselves and their families away.

More laws like this targeting legal gun owners is not the answer. Please oppose Senate Bill 452.

JAIMEE SHEPLER:

Violent crime went up last year due to the encouragement of Black Lives Matter and Antifa rallies across the Nation which sparked violence in every situation.

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And, I did not hear one example of students who took the CCW classes and educated themselves to obtain a CCW to protect their own lives.

As a lawful CCW holder, I will not be coming to any gun show if I am unable to conceal-carry in the casinos, restaurants and such outside of the show.

The issue here is the actual presence of firearms, not the presence of violent people who want to do harm which should be a real problem.

If this bill is not intended to go after people making an honest mistake, what process is in place to differentiate between people making an honest mistake and those who are not?

If I was traveling from out of town and had my CCW, by walking into the casinos and asking an employee who to talk to, am I not already a criminal by this law? How do I make sure that in this instance I get both a prompt response and permission to carry?

I heard some say that in some instances people may be given a verbal warning and in other instances they were not. This is unfair and inconsistent treatment.

Section 18 of Article 1 of the Nevada Constitution says, "The right of the people to be secure in their persons, houses, papers and effects against unreasonable seizures and searches shall not be violated." Senate Bill 452 is in direct contradiction to several sections of the Nevada Constitution.

The fact is that the majority of people are good, lawful, responsible gun owners who do not want these laws.

ADRIAN LOWRY:

I oppose S.B. 452. I am incredulous, and I hope everyone is incredulous about the claim that there is no racial discrimination in the casinos. There is no way that this bill will be equal against Black and Brown customers.

They claim there will be training required such as implicit bias training. Are we going to pretend these trainings are effective? These trainings are not effective or at least a large way to check the box of more compliance data.

Most studies have shown that implicit bias training does not change the behavior of employees. Some say racial discrimination is not a problem because they have training. It is not true, and it is insulting to keep telling us that training addresses racial discrimination.

Most already know what the method is going to be when they go into the training. They already know that they disagree with that message but will go along with it to get compliance. They do not know what is considered racist or discriminatory, and they disagree.

If this bill is passed, it will increase and perpetuate violence against communities of color. You need to reframe your approach because it does not reduce crime when you take a father or a mother out and destroy lives of their children by locking them up and preventing that family from accessing resources that other families have available.

We must not expand the power of stop-and-frisk to private organizations. It is dangerous. Taking one life away due to a misunderstanding or racial stereotyping is too much. This will not make people safer, it will make people less safe. You have to make the decision of do you want to reduce crime or do you want to continue the destructive approach of collective punishment on white communities.

JIM HOFFMAN (Nevada Attorneys for Criminal Justice):

We oppose S.B. 452. We are not here because we are opposed to the concept of gun control on a substantive level. Instead, we share the concerns discussed by the ACLU, Ms. Bertschy, Ms. Saunders and many of the other people who testified, including the caller just before me.

Gun violence is a real systemic problem. We should be looking for real systemic solutions. Senate Bill 452 is a band-aid that will not address gun violence meaningfully but only increase the racial and economic disparity already present in our criminal justice system.

MATTHEW WILKIE:

I live in Assembly District No. 40. Not many things nowadays get bipartisan support, and this has gotten widespread bipartisan opposition. I do want to echo the callers before me with everything they have said along with agreeing

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with Senator Hansen and Assemblyman O'Neill that this will not prevent crime. This will not differentiate between the bad actors and those law-abiding, card-holding citizens.

Assemblywoman Krasner and Assemblywoman Summers-Armstrong bring up excellent points that there is little to no access to get this information and the ability to obtain authorization if you are trying to do so.

Senator Cannizzaro brought up a point that this is a de-escalation bill and a de-escalation tactic, which is interesting because bills have been brought forth to Session specifically from Assemblywoman Summers-Armstrong herself which received no support from her or the Chair. It makes you wonder if this bill is about de-escalation or what? I urge your opposition to S.B. 452.

LESLIE TURNER:

I am calling in opposition to S.B. 452. I urge everyone on this Committee to please vote no and vote this down. The broad coalition of opposition to this bill is telling. Are you going to listen to the rule of the people? People have come out abundantly clear that we do not want this bill and do not want new ways to criminalize people on The Strip. An hour was offered for support testimony, and I have been calling in all Session. This is my first time seeing an hour allotted for testimony in support.

Why is so much time and energy being put into a bill to criminalize people on the Las Vegas Strip for open-carry when many of us have licenses? There is no way to differentiate among those who have a license and those who do not.

The MGM Resorts has plenty of money and can hire armed security to handle situations in a way that fits into their policies, but codified policies for MGM Resorts that all Nevadans have to follow and be affected by is not good public policy. Please vote no and vote this down.

CHUCK CALLAWAY (Las Vegas Metropolitan Police Department):

We are neutral on S.B. 452. We support the Second Amendment and the ability of law-abiding citizens to carry their firearms for protection. Likewise, we also support the rights of business owners to prohibit firearms on their property.

Obviously, it is up to the Legislative Body to determine if carrying a firearm on someone's property against their wishes warrants a criminal penalty.

Of the questions asked of law enforcement, I would like to clarify a question raised regarding trespassing and response by law enforcement. Obviously, we prioritize calls. Depending on the time of day and what is occurring out there, trespassing in and of itself may be a low-priority call. Over the last 30 days, we had 605 trespassing calls Valley-wide and 289 trespassing calls on The Strip; 74 of those calls were closed out with no response. That means we responded to 88 percent of trespass calls.

I was asked to provide a number of gun or firearm incidents over the last 30 days on The Strip and that number was 25. I was asked to clarify that number and to put it into perspective. Those numbers include not only assaults or disturbances, a homicide, two robberies and a domestic violence involving a firearm but other instances such as a check for welfare where a firearm was involved, a stolen vehicle with a firearm in it and found property calls where a firearm was lost or found. It does run the range of various types of calls.

MICHAEL FARRINGHAM (Washoe Shooting Sports Foundation):

We were supposed to be in opposition as opposed to neutral. I apologize for the technical difficulties. We run the SHOT Show in Las Vegas and have major concerns with the bill. We testified in opposition when it was in the Assembly, and we would like to testify in opposition again on this bill.

We have concerns about how provisions in the bill would affect our show in practice and our members who attend the SHOT Show. In addition, we think policies put in place need to be spelled out more, and there needs to be more certainty on the front end so our law-abiding attendees, as well as guests, know exactly what we can and cannot do prior to coming to Las Vegas. We bring about 80,000 people to Clark County.

I urge the Committee to vote no on this bill.

CYRUS HOJJATY:

I am in opposition to S.B. 452. Here is the heart of the issue. People are not talking about what truly causes the increase of violence in society which is fatherless homes and the growing gap between the rich and poor.

I have a lot of suspicions about this bill because it is being shoved through at the last minute. I also have not been told where similar bills have worked anywhere in this Country or around the world. The fact that casinos and the Culinary Workers Union is pushing this bill further proves my main concern of this State, which is how this political machine works—total conflicts of interest.

I want to respond to the Culinary Workers Union. I do not think it is a legitimate Union. You also have to understand that they talk about how the shutdown affected their jobs. Remember, they were the major factor in the election and what has caused the outcomes of particularly people in power.

This creates more concerns regarding casino security. A lot of people have been visiting hotels. I have heard reports that people have been eighty-sixed and banned for useless reasons. This will further intensify problems.

A lot of people have been going to Las Vegas with fear, and this will add insult to injury. At least what you can do is stipulate to some changes.

SENATOR DONATE:

I want to make my closing remarks on the positive impact we can create by passing this bill. Given the questions and comments today, I will commit to fixing the education portion of the bill, addressing the concerns with off-duty officers and limiting, of course, the scope of covered premises that Ms. Molino detailed.

As a person of color, I can attest to the racial discrimination that we experience on a daily basis. I disagree with the sentiment that enacting this policy will target responsible gun owners negatively. It is a tool for prevention which cannot be left behind in this conversation.

This supports responsible gun owners who will collaborate with the institutions such as MGM Resorts and other similar establishments.

I ask Committee members to think about the Black and Latino workers and the emotional trauma they already carry. People like my dad, my grandma and people who work endlessly to service our State. They are who we are protecting.

The choice is between preventing gun violence and not. We cannot let our disagreements be an excuse for inaction. Senate Bill 452 is a public health framework that can support the end to this epidemic. We must recognize the value of public partnerships necessary beyond this framework in this legislation to carry out the good work of this mission.

In public health, we lead with the belief that everyone deserves the right to live a long and fulfilling life, and the first step to accomplish it is to prevent gun violence. That is what is at stake today. I urge my colleagues to support and bring your ideas so we can address them.

SENATOR CANNIZZARO:

Senator Donate said it best, this is about gun violence; it is as simple as that. Either we believe that this Body can take steps to ensure that gun violence is not something that has to plague our society unabashedly in a way that puts people at risk, or we do not.

We have taken steps to say we do not believe libraries are a place where people should carry guns. A lot of the opposition we heard in those situations said this would target law-abiding citizens who would be unfairly kept from exercising their Second Amendment rights. Yet, a pending decision concerns a place where the possession of a firearm is not appropriate.

We have also made policy decisions not to take steps to arm teachers to ensure our schools are not a place where guns may be possessed and our children can learn safely because these are places where people deserve to be safe. This bill is no different than saying that we do not allow firearms in libraries.

This conversation is turning into one that indicates that S.B. 452 will open up the floodgates to being an improper stop-and-frisk situation, which is simply not the case. That was not what this bill was intended to do.

If that is neither happening in our schools and libraries, nor when we say you cannot bring a firearm into a concert, show or this building, then that is not what this bill is designed to do. We have not made a decision to do that. We have made a decision to say that people deserve to be safe in their workplace and that our patrons deserve to be safe inside of those buildings.

It is interesting to hear the solution may be to simply arm a security force and allow them to implement the same policy, and somehow that solves the issue. We are taking appropriate steps to put our faith into law enforcement, impose policies to ensure implicit bias training and have early indicators of individuals who may not properly conduct that job, but we also believe they can help our community be safe.

The MGM Resorts have testified here multiple times that they have a policy of not allowing firearms on their property, and they give verbal warnings. When those verbal warnings are insufficient and someone who has a firearm is saying, "I am not going to leave your property," they are at a loss of what to do.

The same penalties exist if you show up to a library with a firearm; staff asks you to leave and calls the police. The same policies exist if you show up to a school and say you have a firearm and refuse to leave. We are not asking for anything different.

Some groups that oppose this have opposed every use-of-force bill discussed, opposed implicit bias training and opposed early warning detection systems to ensure faith in our law enforcement community to properly enforce laws in a way not unfairly targeting Black and Brown communities, people of color or anyone else unless they are breaking the law. Yet today, are opposed because of the same reasons that potentially may result in racial profiling? We can have the faith that we can properly enforce the law without crossing those lines, that we are taking other steps in this building to do so but that we are also taking gun violence seriously.

I find the data of ongoing gun violence in some of our properties, and I understand this definition. Everyone is happy to work on the definition to make sure it is narrowly tailored to address the issue. That was the intention of making it a nonrestricted gaming license definition, that we are open to doing that to make sure it is the case.

Having 25 incidences in 30 days involving the use of a firearm—several of those involving some of the more serious crimes committed of a homicide, robberies, domestic violence with use of a weapon, assault with a deadly weapon—is the impetus to make a change. We are going to allow another place where, before



we get into those situations, we can also work with law enforcement to ensure the safety of the people who are in our community.

If we are not seeing the same effects in schools, libraries, courthouses, airports, this building and other venues where we have prohibited people from possessing firearms, I am at a loss of how this is any different than addressing the specific problems occurring in our communities where we have an opportunity to help.

CHAIR SCHEIBLE:

I will officially close the hearing on S.B. 452. We will now enter a work session with the Senate Committee members only on S.B. 452. I will have Mr. Guinan walk us through it.

PATRICK GUINAN (Policy Analyst):

We are going to do a work session on S.B. 452 which we heard in Committee this morning, sponsored by the Majority Leader. This bill prohibits the possession of a firearm on a covered premises in certain circumstances.

The conceptual amendment proposed by this Committee in the work session document ([Exhibit C](#)) amends the proposed amendment, [Exhibit B](#), which Senator Donate offered at the hearing.

CHAIR SCHEIBLE:

All of these reflect amendments proposed and discussed during the hearing.

SENATOR SETTELMAYER:

A lot of questions came out. I understand the concept of this newest amendment is compromised on this particular aspect. The testimony clearly showed the fatal flaws of this bill.

There are questions out there that we have not gotten answers to. At this point in time, I will be opposing this bill.

To reintroduce a bill in one House that failed in another House, we need someone to answer issues out there that we could have discussed, death penalty included; I just have a problem with it.

SENATOR HANSEN:

Ditto to what my colleagues have said. I am disturbed not just about the bill but the process of having an emergency bill at the last minute on a bill already vetted by our colleagues in the other House is a real slap in the face. It is not the right way to handle things, especially when we do want to have some level of bipartisanship and comradery between the two Houses. I thought that was a big mistake.

We had many bills dealing with racial issues. It is clear that all of the people in the Assembly are concerned about that aspect of this bill, but then for some reason, that level of concern is being dismissed in this particular bill. We are ramrodding this through the Senate in spite of their sincere concerns about that bill.

The absence of the ability to answer questions, basic questions about the mechanical aspects of how this would actually be applied, was painfully obvious through the hearing.

This bill was all about optics and making a terrible situation horribly handled by MGM Resorts look good now. As if there was an absence in the law that caused the October 2017 shooting when, in fact, MGM Resorts' own security people dropped the ball horribly and allowed 15 long guns and thousands of rounds of ammunition to be transported over a period of several days. Now MGM comes back and says, "We need a change in the law to prevent things like this from happening." All of the other casinos have been doing a marvelous job of making sure Las Vegas stays safe and that people feel safe going there. That aspect of this was painfully disingenuous and evidenced strongly by the absence of answers to fundamental, mechanical ways of how this law would be applied. I will be a strong no on S.B. 452.

SENATOR PICKARD:

My first impulse after hurrying through this bill is to think that resorts, particularly MGM, are entitled to protect their space. I understand that the law gives MGM and the others the authority to exclude firearms. Ms. Molino admitted that to be the case. She also testified that LVMPD does not respond to these sorts of cases, but LVMPD reasonably rebutted that testimony and testified that they respond to over 80 percent of those calls and were called off for most of the others.

The effort to avoid direct answers to direct questions is disturbing. Asked and unanswered seemed to be the rule. There was zero testimony demonstrating how this bill will change the practical reality on the ground.

The resorts have no support from the rest of the gaming enterprises, or at least they have not spoken up in support. I have heard from many who are opposed but remain quiet so as not to rock the boat at the association.

This is about one entity trying to burnish its image and make LVMPD become its private security force, as one of the witnesses testified earlier.

As much as I agree that they need to have better security, they need to be better by simply hiring armed security or better security since LVMPD would be, at best, minutes or maybe a half hour away.

I am concerned about the reality of the disparate treatment this bill is going to create. We have, as a society and as Senator Hansen mentioned, questioned our most highly trained and responsible law enforcement individuals and their ability to police without bias.

The security force that will be required to enforce this policy before LVMPD shows up will not be as well trained or organized. It is impossible to avoid the question of disparate treatment and profiling likely to occur given it is so engrained in our media and entertainment today.

I join in the calls from the ACLU and others to avoid the disaster sure to be the real outcome of this bill and let us find a more reasonably and constitutionally permissible way of accomplishing the worthy goal of keeping our public places, especially concentrated areas like casinos and the like, safe.

I sympathize with the intent of the bill. Even though we were not getting answers to our questions, we kept hearing about the goal of the bill. I agree with the goal. Everyone agrees with the goal that we want to make these places safe. But rushing a bill through without the ability to get our questions answered, even in follow-up, means that a hurried decision is always a questionable one.

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Since this was brought so late in the Session, we are not able to examine this; we are not able to quell the fears. Mr. Haseebullah from the ACLU mentioned it is unusual that groups aligned against this bill would ever come together on the same side. That is testimony enough this has not been well thought through. There are other alternatives short of what I believe to be constitutionally impermissible language. I will be a no on this bill as well.

SENATOR OHRENSCHALL:

The amendments proposed do address some of the concerns I had and, hopefully, those of Assembly members and Senators who had questions.

I am cognizant of the concerns brought up by the ACLU and PLAN. I am going to vote to support the measure and reserve my right.

SENATOR HARRIS:

Most people know that I was not a fan of this bill as originally introduced. It has come a long way, and I echo my colleague's comments and the Majority Leader listening to folks' concerns with this amendment and the new proposed amendment in the work session. I feel comfortable voting on that measure as well as the commitments from the Culinary Workers Union and others to be on the lookout for any bias that may manifest itself.

This is a much better solution to a very real problem of gun violence on the Las Vegas Strip.

CHAIR SCHEIBLE:

I will also be supporting this measure out of Committee because it accomplishes the goals set out by the sponsor of this bill and the sponsor of A.B. 286.

Assemblywoman Jauregui was here testifying in support of the bill, so this represents the proper functioning of our system when unable to address all of the concerns when A.B. 286 was in the Assembly.

This was removed from that bill, but the bill in front of you today, S.B. 452, is different from the provisions originally in A.B. 286. This allows certain premises that opt-in to prohibit guns on their property the same way that we treat a school, library or a public building which makes sense because the tourism economy is the lifeblood of our Nevada economy. We should be paying

special attention to the resorts, casinos and hotels and all of the places that people come from all over the world to see and be sure they can be safe while there. We should allow those facilities to have this increased and improved amount of safety on their properties.

This hearing was largely focused on issues not relevant to the bill. It was clear to me that we have moved away from the legal understanding of the Fourth Amendment and search-and-seizure law because none of that is changed by this bill. This does not change the amount of reasonable suspicion or probable cause that an officer has to have in order to stop someone. In some cases, this will increase the level of scrutiny where you have police officers interacting with people on a casino floor instead of civilian security guards. This bill does not fundamentally change the right that anyone has to carry a firearm just like they would on a school property or anywhere else it is prohibited.

It is an important public safety measure that the new bill or the amended version of the bill reflects those necessary changes, and I am happy to support it out of Committee.

Seeing no further discussion, we will go to a roll call vote. I would accept a motion to amend and do pass with both the amendments provided at the hearing and the additional conceptual amendments reflected in the work session document.

SENATOR HARRIS MOVED TO AMEND AND DO PASS AS AMENDED  
S.B. 452.

SENATOR OHRENSCHALL SECONDED THE MOTION.

SENATE: THE MOTION CARRIED. (SENATORS HANSEN, PICKARD AND  
SETTELMAYER VOTED NO.)

\* \* \* \* \*

MR. HOJJATY:

Violence, in general, is a concern because the presence of loneliness is out of control due to the pandemic. Loneliness can lead to violence. It is interesting to

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see how both sides, for and against, were making claims that one side was going to benefit minorities and the other side was not.

I saw the true colors of people show today. The Culinary Workers Union was for it, and other organizations of poor minorities were against it.

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CHAIR SCHEIBLE:

This brings us to the end of our meeting. We are adjourned at 2:26 p.m.

RESPECTFULLY SUBMITTED:

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Pam King,  
Committee Secretary

APPROVED BY:

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Senator Melanie Scheible, Chair

DATE: \_\_\_\_\_

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Assemblyman Steve Yeager, Chair

DATE: \_\_\_\_\_

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Begins on Page	Witness / Entity	Description
	A	1		Agenda
S.B. 452	B	1	Senator Fabian Donate	Proposed Amendment
S.B. 452	C	1	Patrick Guinan	Work Session Document