

ASSEMBLY BILL NO. 94—ASSEMBLYWOMAN DICKMAN

PREFILED FEBRUARY 1, 2023

Referred to Committee on Judiciary

SUMMARY—Prohibits certain governmental entities from using personnel or financial resources to enforce or administer certain federal laws. (BDR 18-62)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to governmental administration; prohibiting a state agency, county, city or town from using personnel or financial resources to enforce or administer certain federal laws that restrict or prohibit the sale, purchase, transfer, manufacture or display of firearms, firearm accessories, ammunition or knives; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that, except as otherwise provided by specific statute, the Legislature reserves for itself such rights and powers as are necessary to regulate the transfer, sale, purchase, possession, ownership, transportation, registration and licensing of firearms and ammunition in this State, and further provides that no county, city or town may infringe upon those rights and powers. (NRS 244.364, 268.418, 269.222)

Sections 1-4 of this bill provide that a state agency, county, city or town, respectively, shall not, with certain exceptions, assist or cooperate with the Federal Government in the enforcement or administration of any federal law which restricts or prohibits the sale, purchase, transfer, manufacture or display of firearms, firearm accessories, ammunition or knives that is otherwise lawful under the laws of this State or the county, city or town, respectively.



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

1 **Section 1.** Chapter 232 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *Except as otherwise provided in this section, a state agency*
4 *shall not use any personnel or financial resources to enforce or*
5 *administer any federal law which restricts or prohibits the sale,*
6 *purchase, transfer, manufacture or display of firearms, firearm*
7 *accessories, ammunition or knives that is otherwise lawful under*
8 *the laws of this State.*

9 2. *The provisions of subsection 1 do not prohibit a state*
10 *agency from:*

11 (a) *Assisting or cooperating with the Federal Government in*
12 *any circumstance where there is a reasonable suspicion that a*
13 *person who is the subject of an investigation for a violation of a*
14 *federal law described in subsection 1 has also committed, is*
15 *committing or is about to commit a violation of a federal law that*
16 *is not described in subsection 1 or any state law;*

17 (b) *Enforcing, administering or complying with any state law;*
18 *or*

19 (c) *Providing the Federal Government with any public record,*
20 *record of criminal history or other assistance necessary to meet an*
21 *obligation of the State, including, without limitation, providing the*
22 *Federal Government with information, as required pursuant to the*
23 *National Crime Prevention and Privacy Compact, except for*
24 *information that is required to be destroyed pursuant to 18 U.S.C.*
25 *§ 922(t)(2)(C).*

26 3. *As used in this section:*

27 (a) *"Firearm" includes, without limitation, a pistol, revolver,*
28 *rifle, shotgun, machine gun, submachine gun, black powder*
29 *weapon, muzzle-loading firearm or any device which is designed*
30 *to, able to or able to be readily converted to expel a projectile*
31 *through the barrel by the action of an explosive, other form of*
32 *combustion or expanding gases.*

33 (b) *"Firearm accessories" means:*

34 (1) *Devices specifically designed or adapted to enable the*
35 *wearing or carrying of a firearm or the storing in or mounting on*
36 *a conveyance of a firearm; or*

37 (2) *Attachments or devices specifically designed or adapted*
38 *to be inserted into or affixed on a firearm to enable, alter or*
39 *improve the functioning or capability of the firearm.*

40 (c) *"National Crime Prevention and Privacy Compact" means*
41 *the National Crime Prevention and Privacy Compact that is*
42 *codified as NRS 179A.800.*



(d) "Record of criminal history" has the meaning ascribed to it in NRS 179A.070.

(e) "State agency" means an agency, bureau, board, commission, department, division, officer, employee or agent or any other unit of the Executive Department.

Sec. 2. Chapter 244 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in this section, a county shall not use any personnel or financial resources to enforce or administer any federal law which restricts or prohibits the sale, purchase, transfer, manufacture or display of firearms, firearm accessories, ammunition or knives that is otherwise lawful under the laws of this State or a county ordinance.

2. The provisions of subsection 1 do not prohibit a county from:

(a) Assisting or cooperating with the Federal Government in any circumstance where there is a reasonable suspicion that a person who is the subject of an investigation for a violation of a federal law described in subsection 1 has also committed, is committing or is about to commit a violation of a federal law that is not described in subsection 1, any state law or any county ordinance;

(b) Enforcing, administering or complying with any state law or county ordinance; or

(c) Providing the Federal Government with any public record, record of criminal history or other assistance necessary to meet an obligation of the county, including, without limitation, providing the Federal Government with information, as required pursuant to the National Crime Prevention and Privacy Compact, except for information that is required to be destroyed pursuant to 18 U.S.C. § 922(t)(2)(C).

3. As used in this section:

(a) "Firearm" includes, without limitation, a pistol, revolver, rifle, shotgun, machine gun, submachine gun, black powder weapon, muzzle-loading firearm or any device which is designed to, able to or able to be readily converted to expel a projectile through the barrel by the action of an explosive, other form of combustion or expanding gases.

(b) "Firearm accessories" means:

(1) Devices specifically designed or adapted to enable the wearing or carrying of a firearm or the storing in or mounting on a conveyance of a firearm; or

(2) Attachments or devices specifically designed or adapted to be inserted into or affixed on a firearm to enable, alter or improve the functioning or capability of the firearm.



(c) *“National Crime Prevention and Privacy Compact” means the National Crime Prevention and Privacy Compact that is codified as NRS 179A.800.*

(d) *“Record of criminal history” has the meaning ascribed to it in NRS 179A.070.*

Sec. 3. Chapter 268 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *Except as otherwise provided in this section, a city shall not use any personnel or financial resources to enforce or administer any federal law which restricts or prohibits the sale, purchase, transfer, manufacture or display of firearms, firearm accessories, ammunition or knives that is otherwise lawful under the laws of this State or a city ordinance.*

2. *The provisions of subsection 1 do not prohibit a city from:*

(a) *Assisting or cooperating with the Federal Government in any circumstance where there is a reasonable suspicion that a person who is the subject of an investigation for a violation of a federal law described in subsection 1 has also committed, is committing or is about to commit a violation of a federal law that is not described in subsection 1, any state law or any city ordinance;*

(b) *Enforcing, administering or complying with any state law or city ordinance; or*

(c) *Providing the Federal Government with any public record, record of criminal history or other assistance necessary to meet an obligation of the city, including, without limitation, providing the Federal Government with information, as required pursuant to the National Crime Prevention and Privacy Compact, except for information that is required to be destroyed pursuant to 18 U.S.C. § 922(t)(2)(C).*

3. *As used in this section:*

(a) *“Firearm” includes, without limitation, a pistol, revolver, rifle, shotgun, machine gun, submachine gun, black powder weapon, muzzle-loading firearm or any device which is designed to, able to or able to be readily converted to expel a projectile through the barrel by the action of an explosive, other form of combustion or expanding gases.*

(b) *“Firearm accessories” means:*

(1) *Devices specifically designed or adapted to enable the wearing or carrying of a firearm or the storing in or mounting on a conveyance of a firearm; or*

(2) *Attachments or devices specifically designed or adapted to be inserted into or affixed on a firearm to enable, alter or improve the functioning or capability of the firearm.*



(c) “National Crime Prevention and Privacy Compact” means the National Crime Prevention and Privacy Compact that is codified as NRS 179A.800.

(d) “Record of criminal history” has the meaning ascribed to it in NRS 179A.070.

Sec. 4. Chapter 269 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in this section, a town shall not use any personnel or financial resources to enforce or administer any federal law which restricts or prohibits the sale, purchase, transfer, manufacture or display of firearms, firearm accessories, ammunition or knives that is otherwise lawful under the laws of this State or a town ordinance.

2. The provisions of subsection 1 do not prohibit a town from:

(a) Assisting or cooperating with the Federal Government in any circumstance where there is a reasonable suspicion that a person who is the subject of an investigation for a violation of a federal law described in subsection 1 has also committed, is committing or is about to commit a violation of a federal law that is not described in subsection 1, any state law or any city ordinance;

(b) Enforcing, administering or complying with any state law or town ordinance; or

(c) Providing the Federal Government with any public record, record of criminal history or other assistance necessary to meet an obligation of the town, including, without limitation, providing the Federal Government with information, as required pursuant to the National Crime Prevention and Privacy Compact, except for information that is required to be destroyed pursuant to 18 U.S.C. § 922(t)(2)(C).

3. As used in this section:

(a) “Firearm” includes, without limitation, a pistol, revolver, rifle, shotgun, machine gun, submachine gun, black powder weapon, muzzle-loading firearm or any device which is designed to, able to or able to be readily converted to expel a projectile through the barrel by the action of an explosive, other form of combustion or expanding gases.

(b) “Firearm accessories” means:

(1) Devices specifically designed or adapted to enable the wearing or carrying of a firearm or the storing in or mounting on a conveyance of a firearm; or

(2) Attachments or devices specifically designed or adapted to be inserted into or affixed on a firearm to enable, alter or improve the functioning or capability of the firearm.



1 (c) *“National Crime Prevention and Privacy Compact” means*
2 *the National Crime Prevention and Privacy Compact that is*
3 *codified as NRS 179A.800.*

4 (d) *“Record of criminal history” has the meaning ascribed to it*
5 *in NRS 179A.070.*

6 **Sec. 5.** This act becomes effective upon passage and approval.

