

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON JUDICIARY**

**Eighty-Second Session  
May 25, 2023**

The Committee on Judiciary was called to order by Chair Brittney Miller at 8:34 a.m. on Thursday, May 25, 2023, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/App/NELIS/REL/82nd2023](http://www.leg.state.nv.us/App/NELIS/REL/82nd2023).

**COMMITTEE MEMBERS PRESENT:**

Assemblywoman Brittney Miller, Chair  
Assemblywoman Elaine Marzola, Vice Chair  
Assemblywoman Shannon Bilbray-Axelrod  
Assemblywoman Lesley E. Cohen  
Assemblywoman Venicia Considine  
Assemblywoman Danielle Gallant  
Assemblyman Ken Gray  
Assemblywoman Alexis Hansen  
Assemblywoman Melissa Hardy  
Assemblywoman Selena La Rue Hatch  
Assemblywoman Erica Mosca  
Assemblywoman Sabra Newby  
Assemblyman David Orentlicher  
Assemblywoman Shondra Summers-Armstrong  
Assemblyman Toby Yurek

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

Senator Fabian Doñate, Senate District No. 10



**STAFF MEMBERS PRESENT:**

Diane C. Thornton, Committee Policy Analyst  
Bradley A. Wilkinson, Committee Counsel  
Devon Kajatt, Committee Manager  
Connor Schmitz, Committee Secretary  
Ashley Torres, Committee Assistant

**OTHERS PRESENT:**

Samantha Bivins, Private Citizen, Henderson, Nevada  
Thomas Morley, representing Nevada Firearms Coalition  
Francesca Petrucci, representing Clark County Education Association  
Annette Magnus, Executive Director, Battle Born Progress  
Patricia Haddad, Director, Government Relations, Clark County School District  
Izack Tenorio, representing Giffords  
Barry Cole, Private Citizen, Reno, Nevada

**Chair Miller:**

[Roll was called. Rules and protocol of the Committee were reviewed.] Today we are hearing Senate Bill 294 (1st Reprint), presented by Senator Doñate and copresented by Ms. Bivins. Senator, your hearing is open; you may begin.

**Senate Bill 294 (1st Reprint): Revises provisions relating to the safe storage of firearms. (BDR 15-47)**

**Senator Fabian Doñate, Senate District No. 10:**

I come before you today to present Senate Bill 294 (1st Reprint), which revises provisions relating to the safe storage of firearms. For this hearing, I am honored to be joined by a family friend, Ms. Bivins. Ms. Bivins is a constituent who brought this issue to me. I am going to try to do my remarks as quick as I can; that way you can all hear her personal story as to why this bill is important. I am going to spend some time reviewing the language of Senate Bill 294 (1st Reprint) before you today, and the implications it has on public health. I also want to clarify for you what is happening on the ground as we focus throughout the state. There is a conceptual amendment that was submitted by the Firearms Coalition [[Exhibit C](#)]. I hope they are here to present on their behalf. It was submitted to me for consideration of this Committee. The purpose of my presentation will focus more on the bill language.

**Chair Miller:**

Senator, do you consider this a friendly amendment?

**Senator Doñate:**

I do consider it a friendly amendment. As I mentioned, S.B. 294 (R1) relates to the safe storage of firearms. Primarily it adds language, starting in section 4, that each licensed dealer shall provide with each firearm sold or otherwise transferred a locking device capable of securing the firearm. They must also post in a conspicuous location on their premises, essentially, a sign with the notice of "Negligent storage of a firearm may result in imprisonment or fine" [page 3, [Exhibit D](#)].

Let me provide a little bit of background on this bill [page 4]. This has been a conversation we have had for a few years now. There were bills that were considered before the Legislature in 2019: Assembly Bill 153 of the 80th Session and Assembly Bill 291 of the 80th Session. Those bills, which were signed by then-Governor Sisolak, required that if you had a child under the age of 18, you would have to safely store your firearm. The bill before you today does not make any changes to that law. It just adds a provision making sure that firearm owners, when they purchase a firearm, understand what the law is. That is part of the requirement of putting up the notices. Currently in this state, no law requires that unattended firearms be stored in a certain way. We also do not have any statutes that they have to be sold with a locking device, which is part of what the bill in front of you entails. Since the COVID-19 pandemic, nationally we have seen that firearm deaths have increased steadily. Part of that, of course, is due to the mental health crisis that our children face. Similarly, we know that death by suicide with firearms is also increasing [pages 5 and 6].

There are bills that have been passed nationally that consider a wide range of policies and initiatives. As you can see on this map [page 7, [Exhibit D](#)], there have been considerations for safe storage across the states and also for locking devices to be sold with the firearms.

Touching point specifically on Nevada, because I know that is one of the main important slides, the fact of the matter is, children are still bringing guns or firearms to schools [page 8]. From August 2022 to February 2023, which is when the bill was presented on the Senate side, there were 29 encounters with a BB gun or air gun, and 26 encounters with a handgun. I broke this down for you based on elementary school, middle school, and high school. In elementary school, we had one child bring a gun to school. In middle school, 4 guns were brought to school. In high school, 21 guns were brought to school.

I know it is important to share local statistics versus national statistics—between 2014 and 2018, firearms were the leading cause of death among children and teens in Nevada [page 9]. This is an imperative thing for all of us to take seriously, considering that they are bringing these firearms to school. When I presented this in Senate Judiciary, that same week, just a few days before, there was a news article that said one person was detained after police responded to a report of a person bringing a gun to school at a Las Vegas high school [page 10]. It is a very real scenario. When you look at the tweets [page 11, [Exhibit D](#)], you can see that families were rushing to their kids, trying to make sure that everyone was safe. Families also complained that they were not given any notice or communication as to what was going on.

I think that itself is probably a pause for reflection. Perhaps we need to do a little bit more coordination with one another between local law enforcement and school police, particularly in the Clark County School District (CCSD) and for larger school districts. I believe we should have mechanisms in place to communicate to parents when situations occur like this emergency. Similarly, I firmly believe that, with the provisions of this bill in general, we should have some level of response to students, faculty, and staff who have been exposed to community violence, whether it is in their community or at their local school. We should have strategies that essentially are trauma-informed so that we appropriately respond to each other when these situations are encountered.

Overall, I firmly believe that students and teachers deserve an environment that is safe and free from violence. I also believe this bill can help not just inform firearm owners as to what the law is, which is important as part of the provisions, but also making sure that our system is just a little bit better coordinated. At this time, I will go ahead and turn it over to Ms. Bivins to present her remarks. [Supporting documentation was also provided, [Exhibit E](#) and [Exhibit F](#).]

**Samantha Bivins, Private Citizen, Henderson, Nevada:**

Thank you for allowing me to speak with you regarding this important legislation today. I am a Gold Star Wife and a Blue Star Mother. I am an ardent supporter of the military and veteran community as well as student safety. I first became passionate about student safety in 2015 when I was serving as a senator in Consolidated Students of the University of Nevada, Las Vegas with Senator Doñate. During my tenure, I was the proposing senator of a proposal to upgrade the emergency phone system on campus and the funding, filming, and implementation of the "Run. Hide. Fight." active shooting training video, which is still used on campus today.

In 2022, in anticipation of the upcoming legislative session, Senator Doñate and I began collaborating on legislation in relation to active shooter training in K through 12 settings, as well as the safe storage of firearms. The bill before you today is the result of that collaboration. I believe that training our children on the most effective ways to react in an active shooter situation is critical to survival. Additionally, as the owner of many firearms myself and an individual living in a home with several school-aged children, I take my responsibility of safely storing these weapons very seriously.

You have the statistics nationwide as well as in Nevada from Senator Doñate. These numbers are unacceptable. I do not believe that curtailing the ownership of firearms is the solution, but we cannot continue to stand by as more people die. Providing active shooter training to students and faculty can save lives. Mandating firearm locking devices at the time of the gun purchase can save lives. Imposing consequences for the failure to safely store firearms can save lives. Having successfully drafted, presented, and had the legislation passed before this body in the past, I have learned that although having a bill come to fruition can be difficult and contentious, the process can have a positive outcome.

I am certain that we can all agree that we want to see all children protected and kept out of harm's way. We can strive to work to that end if we support legislation that makes sense, is comprehensive, and is written to satisfy lawmakers and stakeholders in the firearms industry who sit on both sides of the aisle. I am asking you to please look at S.B. 294 (R1) with thoughtful consideration and to work together to ensure that gun violence does not continue to rob our children of their lives and others of their peace of mind, security, and innocence. In closing, I would like to share a few quotes. These words represent the thoughts of two men, one a Republican former senator and the other, a Democratic former president.

"The goal with a big piece of social legislation is to have a bipartisan result, so the country will accept it." Senator Lamar Alexander.

"A good compromise, a good piece of legislation, is like a good sentence or a good piece of music. Everybody can recognize it. They say, 'Huh, it works. It makes sense.'" President Barack Obama.

It is time to come together and change the narrative. Thank you for your time.

**Senator Doñate:**

I would like Mr. Morley to explain the conceptual amendment [\[Exhibit C\]](#) that he has requested, that way the Committee members will understand the background for it.

**Thomas Morley, representing Nevada Firearms Coalition:**

This amendment [\[Exhibit C\]](#) simply states that if you are traveling in your vehicle to a shooting range or to a shooting exhibition, you would not get a felony if you had your firearm locked in a box and it would not be considered concealed. We do not want to see people getting charged with a felony for simply transferring from the vehicle to a shooting facility.

**Senator Doñate:**

That is the conceptual amendment that has been shared with me. That concludes our presentation of Senate Bill 294 (1st Reprint), and we are happy to answer any questions.

**Assemblywoman Bilbray-Axelrod:**

I was a primary cosponsor on the bill in 2019. I guess we did not think this one through. I think this is a great idea. Can you go over the cost of the locking devices? Also, is the onus on the gun buyer, I assume, to buy the device? I am sure they come in a range of options because you mentioned biometrics, so if you could just give me that information.

**Senator Doñate:**

Section 4, subsection 4(b) defines what is considered a "locking device." It can be a key, a combination, biometric data, or other similar means. If you go on Amazon, the locking devices can be as simple as \$5; it can be very simple. Most firearms often come with one already. When you purchase a firearm, this will now put a requirement that it comes with the firearm that you are buying. The bill does not really set a parameter as to what the minimum

or what the maximum is. If you already have one, if you have a safe at home, that is fine. This comes with you when you purchase a firearm. The analogy that I would make is when you purchase an iPhone, it comes with the charger. It is an accessory to it, and it is simply the same way that I would approach this scenario.

**Chair Miller:**

I would like to follow up on that because with your example of the charger that comes with the phone, that is part of what the manufacturer or the company does; they provide it. This sounds like the purchaser would have to purchase the lockbox.

**Senator Doñate:**

Essentially, if you are a firearm dealer, in addition to notifying them that this is now a requirement in state law to have safe storage if you have a child under the age of 18, they would also have to sell you, at the same time, a locking device if the firearm did not come with one, depending on what you purchase.

**Assemblyman Gray:**

This is already federal law; it was passed by the Child Safety Lock Act of 2005. I buy firearms from time to time, and I do not remember the last time one did not come with a lock. I am wondering why we need this in state statute if dealers are already risking something much more valuable than 500 bucks. They are risking their Federal Firearms License by selling a firearm without a lock. Not only is this duplicative, it is also less of a threat to them.

**Senator Doñate:**

That was a consideration that came forward. The thing that I had come to mind was what you do not want is a scenario where it is not a common practice. I think probably the most important thing is the notice of making sure that folks who purchase these items understand what the law is. There has been a question of whether compliance is in effect, simply because, as I presented to you, there are Clark County students who are bringing them to school. There is obviously some level of ramification that could exist as to, if safe storage has been acting the way that we intended it to. As a way to help us get just a little bit closer, it would allow us, in partnership with the firearm dealers, to post the notice that this is happening. To your question, that was something that was brought up, it being duplicative. I think it is just our codifying that this is the standard practice for us in our state.

**Assemblywoman La Rue Hatch:**

As a teacher, I think this is very important, and I have some questions on the school portion. I am looking at section 9.1, subsection 2(j)(3). It says that we have to ensure that a pupil's parents or legal guardians are notified of a crisis, which I appreciate. I would like to know if you thought about including staff in that. As a teacher, I have been in an actual code red. We had a student bring knives to school. We were not told that; we thought there was an active shooter. Literally, every staff member passed our phones to the students to say

goodbye to their parents; we stood at the door ready to fight someone off. It was four hours of terror for every staff member, and we were not informed of anything that was going on. I wonder if you would be open to adding staff being informed as well, because it seems obvious, but we are not always informed.

**Senator Doñate:**

Absolutely. If that is something that the Committee would like, I think that is appropriate to consider. I have family members and close friends who are educators as well. I have asked them if there were a scenario where you had to shelter in place, outside of the announcement that they make, do you actually know what is going on? Oftentimes they do not. You are correct. I think there is a strategy that we need to do to help ensure our educators understand the scenarios that are in place. Similarly, for instance, if there were an encounter that happened, perhaps if your classroom faces the outside neighborhood and you saw something happen outside, how do you navigate that type of situation? It might not be in the school, but you still have to deal with the ramifications of your students being exposed. That actually happened to my cousin. She was an educator at Dean Petersen Elementary School. There was a shooting right in the corner of the parking lot of the school. Because her classroom faced the outside, that was a difficult conversation that she had to have with her students, which is kind of the reason why I felt that there should be some parameters in place to help, not just staff and educators, but pupils who have been exposed to community violence. Maybe it is not in the school, but it could be in the local vicinity. If that is a consideration of the Committee, I am more than welcome to add that as well.

**Assemblywoman La Rue Hatch:**

My other question is about the training. Section 9.1, subsection 2(j)(1) talks about coordinating with local law enforcement agencies to provide active assailant training to each employee. We go through code red drills, and we do have trainings on this, but I have seen in some districts across the nation very intensive—I would say traumatic—trainings of students where they simulate an active shooter, but they do not tell the students this is a drill. It is really pretty traumatizing stuff that our elementary kids go through. I want to make sure that is not what we are looking at and to make sure there are some parameters so that we are getting training but we are not traumatizing kids so they are afraid to go to school.

**Senator Doñate:**

The way I wrote the bill was essentially codifying what Clark County School District already does, which is, law enforcement and the local administrators are the ones who should be going through these trainings so they understand the scenarios that could occur, should they occur. From the original reprint, we have learned that we do not want students to go through these trainings because oftentimes, you are right, they do induce some level of trauma. We believe that it was appropriate in the other sub bullet points to look at developing trauma-informed and age-appropriate responses to students that have been exposed to community violence. That is probably the first step. The police officers who work for the school district should have this already in their training.

**Assemblywoman Gallant:**

Will you go back to your presentation, [page 9, [Exhibit D](#)] which talks about guns being the leading cause of childhood deaths in Nevada? You said between 2014 to 2018, firearms were the leading cause of death among children and teens in Nevada. Can you tell me where you found that data? Just quickly looking at the Division of Child and Family Services, Department of Health and Human Services, I was able to find the statistics for 2018 and 2019 and it shows natural causes as actually being the majority of deaths. I am curious where you got those numbers and if you could send those reports. I would be concerned if guns are leading the way with influenza, sudden infant death syndrome, and various other diseases that typically take young children.

**Senator Doñate:**

On the bottom of each slide, I have included the source. I am happy to send the presentation over to you.

**Assemblywoman Hansen:**

Thank you for the work that you have done as the bill has come over here. I have more comfort with it, and I appreciate your working with a lot of other people. I have a real quick follow-up on the conversation that was just had. I think it is really important to clarify. Certainly, we are all very concerned about any time a child's life is lost. When it comes to guns, we kind of change what a child is. Typically, we think a minor is under 18, but when it comes to guns—this is not in relationship to your slides—but in the gun discussions about loss of life with children, the age moves to 21 typically in gun statistics. That gets into what we would term adults, but for some reason it is categorized as a child, and a lot of that is gang violence. Going to this specific, I understand you are looking to codify a lot of things that are already happening, correct, particularly on the plan for school districts? It is my understanding that Clark and Washoe Counties have a regional active assailant response program that they are all trained in and coordinated with our outside law enforcement.

One concern I have heard is sometimes for school police, they are trained, and they understand how their buildings work. Are we going to have them help train outside law enforcement? We are not looking at asking outside law enforcement to train our school police, right? The school police and that agency understand their footprint, working with students, and all of that. My major concern is who is training whom.

**Senator Doñate:**

To your first point, yes. A lot of this is already standard practice. It would be codifying. I took a lot of the provisions of this bill from the active assailant training that CCSD already conducts. To answer who is responsible for the training, et cetera, with this particular scenario, when I presented this in Senate Judiciary, the problem that we encountered was not so much training between each individual institution, but rather the coordination between each other. What we had was, Las Vegas Metropolitan Police Department showing up at the same time as CCSD, police showing up at the same time as other law enforcement entities.



There was a lack of coordination. My goal would be not just to continue what we already have, but also to help the coordination so that when these situations are encountered, we know how to appropriately respond to them and work with one another. So that is essentially my ultimate goal.

**Assemblywoman Hansen:**

Unfortunately, we have seen nationally that there is, understandably, almost like a panic, and they are trying to work the best they can within this horrific situation. Do we have any law enforcement from Clark County? I did not see Washoe County. I am curious if we could get an understanding of who takes charge in that situation. When all of these agencies arrive, do the school police lead the coordination? I would like to have that answered, whether now or offline.

**Senator Doñate:**

I do not know the answer to that. I know CCSD is here, but I do not know if they are able to respond. I can respond offline.

**Chair Miller:**

We will respond offline on that.

**Assemblywoman Cohen:**

I would like to ask about section 10, subsection 3 in particular, but the whole section about suicide, because we know that suicide is frequently attributed to gun deaths. Will you give us some more information about those community programs that are out there to temporarily store firearms to try to help people when they are concerned about the state they are feeling and where they are in their lives?

**Senator Doñate:**

This part of the provision is what other states have passed, which is, they work in consultation with their Department of Health and Human Services to post information as to the requirement of this particular law. If you find yourself in this particular scenario where you are feeling suicidal or you need some level of help, there are the resources that you can contact depending on what part of the region you are within the state. In addition to that, they also develop educational materials as to what is appropriate in terms of storage. Of course, with the implementation of 988 [Suicide and Crisis Lifeline], this would also have the ability for crisis intervention should you feel you are in that situation. It is important to know that suicide is also a big public health concern. We want to make sure that folks are adequately prepared and that our state is providing that information publicly, so if you find yourself in that situation, you have the help you need.

**Assemblywoman Newby:**

I just happened to register my kids for CCSD for the next school year yesterday. I noticed, among all the different things that you have to click on and acknowledge, there is a statement about safe gun storage when you register your children. My question is in section 9.1,

subsection 2(j), that states school districts that have 50,000 pupils or more. I am curious as to why that level was selected because all of these things seem like good things for any district to have.

**Senator Doñate:**

I think that was more of the offline conversations I had with both Washoe County and Clark County School Districts. There are provisions in that section where they will have to develop good practices as to communications with parents, et cetera. I feel part of the strategy was if they can start off learning how they can develop good support mechanisms for their staff and their students and appropriate communication responses, that can be translated to the rest of the state. If everything goes well, we can roll this out in the long term to the rest of the state. That is my ultimate goal. As you may know, not all school districts throughout the state have police officers, some of them contract with local law enforcement, and they have populations of who is covered by whom. We figured that we would start off with the two major school districts first, and then we can work to help the rest of the state.

**Chair Miller:**

That was my question as well, because as you have already mentioned, it is more about codifying. Often when bills come, I do not want to give the impression that this stuff is not happening, because Clark and Washoe Counties are doing much of this. There are drills that happen with students and there are parent links that go out to parents to let them know immediately. I agree with Assemblywoman La Rue Hatch; it is the staff who does not always know what is going on. Communication is going out, we have training, we have crisis teams, we have evacuations and reverse evacuations for every scenario. We even have principals who do additional procedures within their buildings, whether it be not letting the students use their lockers or not letting students bring bags in, whatever they can do to reduce it. It is interesting that it is only going for the two school districts that most likely already have so much of this in place, where I would think maybe we should be addressing the smaller school districts that may not have as sophisticated plans or practices or, as you stated, even police officers. Could you speak to that? Why would we not be including all of our schools? I see you mention charter schools. If we look at the Charter School Association as one, they will probably cross about 50,000 students, and we are leaving them and our other districts out. Could you just speak to why they are not automatically included?

**Senator Doñate:**

I think it was more so in terms of implementation. It would be more difficult to implement it across the state, given that there are a lot of differences between each of the different school districts. As I mentioned in the presentation, there is a lack of coordination that exists between law enforcement and school police officers. There are improvements that could be made between communication to the actual community. I think there are still some gaps that we can solve first at the larger school districts. Once we identify those gaps and the appropriate way to respond to them, we might come to a determination that it requires more fiscal resources or that there was not an identified good training mechanism. Perhaps it is just the onboarding of technology to help the dissemination of information to faculty and to parents. There are a lot of potentials that could exist just with enacting this provision for

larger school districts. My hope would be, before we start to tack on smaller school districts that may not have the ability to expend these funds, that we could start off at the larger school districts and then work our way down. I understand the sentiment as to why are we leaving some behind. It would make sense as to why you would come to that conclusion.

**Chair Miller:**

One more quick question on that. In your research of the school districts, did you find that the smaller school districts had things in place already, in comparison to the larger school districts? Which ones did you feel were more sophisticated or robust in their plans?

**Senator Doñate:**

I think it was a mix of both. It depends on the school district and how many students they have. For many of them, they charge that responsibility to local law enforcement because that is who they have contracted. Some already have local provisions. As you may know, when I spoke with the Department of Education, they have local county officials who do emergency preparedness, and this is part of the emergency preparedness plans. Their notification is that they focus on all types of emergencies, not just one in particular, because they need to be prepared for any particular scenario. Most of this has been covered in some way, but in terms of the smaller school districts, it varies depending on their size and what their partnership is with local law enforcement.

**Assemblyman Yurek:**

I really appreciate your willingness to work on this bill as originally presented, to try to strike the appropriate balance. I think what you are attempting to accomplish is commendable. We need to figure out how to educate people on ways we can provide safer storage of firearms. I think as originally presented, it was challenging because we are trying to find that balance between safe storage and quick access to the firearms when those who carry them need them, particularly in self-defense situations. I appreciate it greatly, because as originally presented, I was looking at it thinking, this is problematic for someone like me to look at it and see if it is really going to hurt people who need to have access to weapons. Again, the aim here is commendable.

By the way, I agree with my colleague that the requirement for a licensed dealer to sell a firearm to an individual is a bit redundant because federal law currently does provide that. That is why most people are getting them with the locks, and they do range in prices. We know that 18 U.S. Code § 922 covers that. It is a bit duplicative, but I am okay with it. I think our negligent storage of firearms laws are good under *Nevada Revised Statutes* 202.300. I say all that to say, I really do appreciate it.

By the way, let me just comment very quickly, as a prior law enforcement officer—I was a Special Weapons and Tactics operator when Columbine happened, and let me tell you, that changed the nature of police response to these types of scenarios. There has been a concerted effort—I do not know about up here, but certainly down south—to improve those responses. I think we have come a long way in responding to these types of school shootings and things like that. I agree there is a gap that can be closed to improve those types of responses with

school district police officers and law enforcement. Local enforcement knows that these school police officers know their campuses really well. There is a coordinated effort. I actually am good with that part of this bill as well.

All of that to say I was good, and then we get this friendly amendment [[Exhibit C](#)]. Mr. Morley, my question is probably more for you, because as I look at this, we are going to transition and deal with firearms when we are talking about in the homes and, by the way, the education of reminding parents about how they store them to keep them from the schools. As we look at this, you kind of pitched this like it is an attempt to help people who are going to gun shows, who carry their guns in and out. This appears to me to put us more in line with California law that basically requires you to have a concealed weapon permit to carry, where it would be considered concealed if it was not either locked up or put in the trunk. Now this is striking that difficult balance again. It is concerning and I am hoping you can address it. If this was in place, would an individual without a carry concealed weapon (CCW) permit who is carrying a firearm for self-defense not be able to have quick enough access in a self-defense scenario if it was in a motor vehicle? I think you understand my question. Can you address that for me?

**Tom Morley:**

We simply want to make sure that somebody would not catch a felony when they are transferring from their vehicle to a shooting facility or to a shooting competition when it is locked in a box or in a safe container. We just want to make sure that you are not going to catch a felony when you are transferring from place to place, and it is not considered concealed.

**Assemblyman Yurek:**

That is what I thought I heard you say, but I do not know that upon reading of this amendment, which is basically a copy of the California Penal Code, put into this scenario. Senator Doñate, maybe you can address it, because I like the idea of protecting people who are coming to gun shows and doing stuff and safe storage for that. It looks like this amendment [[Exhibit C](#)] is basically clarifying that this does not prohibit somebody from carrying a firearm in this state if they are 18 or over, whether they are a resident or they are temporarily in this state, from carrying a gun to or from a vehicle. This says as long as it is locked or in the trunk, or to and from, if they do not have a CCW. This does not sound like it matches what you are intending it to do. As written here, I look at this, it almost looks like unless I have a CCW, I cannot even carry a firearm to or from a motor vehicle unless it is locked up. That would mean open carry to and from a car would be prohibited by this. I did not get that is what you are trying to accomplish, but this, as written, is concerning. I think we may need to have conversations offline, if that is the intent, to address and to make sure any sort of provisions to protect that felony charge under scenarios like this do not prohibit somebody from having ready access to a firearm for self-defense purposes when they happen to be in or near a car.

**Senator Doñate:**

When I was approached with this conceptual amendment, the way it was presented was that it would close a loophole that we have seen across the country. I am more than happy to work with you to rewrite this amendment so that it satisfies your needs. I do not know if that can be happening offline.

**Assemblyman Yurek:**

I think that a follow-up is probably appropriate, because I do agree that this amendment as written is not accomplishing what I think the intent is. I would be more than willing to have conversations offline to try to come up with something that may help address that without, again, crossing that line of the balance that I think your bill was really achieving.

**Chair Miller:**

I appreciate that because I feel it is difficult when we just take another state's law. I know that is not what the plan would be. Obviously, the Legislative Counsel Bureau would write it and craft it, but those are my questions too. I am trying to imagine the different scenarios between open carry and CCW. It is my understanding, either way, that that individual would have protection, especially going to a gun show, going to purchase, or going to the range. We are not saying they are going to prohibited areas where they are not allowed to carry originally. If we could get clarification and look at both scenarios to see the necessity of this. I could also bring in my Midwest roots and ask about hunting, if we could look at those scenarios.

**Assemblyman Gray:**

My first question refers to the statistics on page 9 [\[Exhibit D\]](#). Assemblywoman Gallant got me thinking about this. The statistics are from everytownresearch.org. They have an agenda—I am not going to say they are biased, but they do have an agenda. I wanted to fact-check that against the Centers for Disease Control and Prevention (CDC) website. Their longitudinal study, 2011 to 2020, an annual average of 27 Nevada children and youth aged 0 to 19—it is a much larger demographic—died from all causes of death involving firearms: homicide, suicide, accident, et cetera, according to the CDC data. I have got to question that data, and maybe it is because there is just such a small sampling at the time that it works. There is a part two to this question, an easy one: Who do you imagine enforcing this law with the signage? I cannot see uniformed officers going into gun shops and doing that.

**Senator Doñate:**

With regard to your CDC data, actually, in the interest of time, I took off the slides that were nationally, and some of those remarks actually came from the Kaiser Family Foundation. I will make sure you get those data points. I understand the sentiment of where this data was gathered, but I did collect other points that were more from the federal government. I will make sure to send that to you post presentation.

With regards to the enforcement of the signage, I think it comes down to—this is probably an appropriate response—the public and the private industry coming together to help enact legislation. I think that for this particular response, we have seen, across the state, where

students are bringing firearms to schools. I believe that in working with the coalition, this is something that would be followed. In terms of enforcement, section 4, subsection 2 states, "A licensed dealer who violates any provision of subsection 1 is guilty of a misdemeanor and shall be punished by a fine of not more than \$500." That is the enforcement mechanism.

**Assemblyman Gray:**

That is the penalty phase, but who is going to walk in there and cite them? I cannot see uniformed officers, who are busy enough, going into gun shops looking for violations.

**Bradley A. Wilkinson, Committee Counsel:**

Basically, it is a crime. Local law enforcement is who would enforce it. What kind of priority they would make of that is obviously a policy choice, but it is a crime like any other crime.

**Assemblyman Gray:**

You went directly to my point. They are already meeting the lock requirements. The Bureau of Alcohol, Tobacco, Firearms and Explosives does a very good job of actually enforcing that, going in and doing inspections and making sure these guys are compliant with their Federal Firearms License, which is a very hard license to get. I am just wondering if we are passing a duplicative law that has penalties but will never get enforced because there is just not the time or the wherewithal to do it because of other things going on.

**Senator Doñate:**

Once again, I understand the sentiment of duplicating federal law with requirements to locking devices. As I reiterated, the new portion of this bill that is important is making sure that firearm owners are understanding what law has been passed in this state. We have set the provision in here to enforce this; this is what has been enacted in similar states. Whether that comes down to the policy priority, I think that is more of a question for law enforcement, but at least we are doing our part in making sure that everyone in this state understands the law that you have to follow, which was already signed in. That is part of the rationale for that.

**Chair Miller:**

Also, just for clarification, the federal law only pertains to handguns. We will all just ponder that. It is just handguns and, of course, there are a number of different styles of firearms. I do not see any additional questions at this point, so we can open it up for testimony. We will start in Carson City. Is there anyone wishing to provide support to S.B. 294 (R1)?

**Francesca Petrucci, representing Clark County Education Association:**

Clark County Education Association represents the 18,000 licensed professionals in the Clark County School District. We support Senate Bill 294 (1st Reprint), and we thank Senator Doñate for bringing the bill forward as well as engaging in conversations with several stakeholders. The number of firearms that have been found in CCSD campuses was I believe 33 by the close of this school year. That is according to what was on the CCSD website. Any provision that can prevent even one of those from entering a school campus is

critical. You mentioned Columbine; it only takes one. When we talk to educators and students, there is a feeling of unsafety, and it is warranted because we are seeing an increase in the number of firearms that have been found on campuses. It is only a matter of time until it is too late. Any provision that can prevent even one of those from being found on a campus is worthwhile, even if it is in some cases duplicative.

We are working on school safety legislation as well in this session. This is supplementary to, not duplicative of, those efforts. I want to share why. This is data from Everytown For Gun Safety as well, Assemblyman Gray, but three-quarters of school shooters acquired their firearms from the home of a parent or close relative. An estimated 54 percent of gun owners do not safely store their guns. Even though research has shown that households that lock both their firearms and ammunition were associated with a 70 percent lower risk of self-inflicted firearm injuries, injuries in general, and an 85 percent lower risk of unintentional firearm injuries among children and teens, specifically compared to those who safely store neither. Again, we are talking about preventing at least one from getting on these campuses. We urge your support. It is very timely.

**Annette Magnus, Executive Director, Battle Born Progress:**

I am here today to show our support for S.B. 294 (R1). As a gun owner, I want to thank Senator Doñate for bringing this important bill forward. Something has to change. It starts with prioritizing commonsense gun violence policies like this one. We want to give Senator Doñate credit for approaching gun violence from a public health lens and for prioritizing the safety of our communities. Senate Bill 294 (1st Reprint) seeks to make our schools safer, and protect our young people, educators, and support staff. After we have seen numerous school shootings and the presence of guns in our schools over the last year, it is our position that we must look for every possible solution to stop this violence. We urge the Committee to move this bill forward and continue taking gun violence prevention seriously. [Written testimony was also provided, [Exhibit G](#)].

**Patricia Haddad, Director, Government Relations, Clark County School District:**

As you heard, this codifies policies that are essentially already in place in many ways, and we are in support of this legislation.

**Izack Tenorio, representing Giffords:**

Giffords urges strong support of S.B. 294 (1st Reprint), which would create a strong child accessibility prevention law and requires sellers to provide locking devices and notices about the law. Comprehensive child care, access, prevention, and storage laws are incredibly effective tools to curb gun deaths and injuries among children and teens. Household guns often are the most easily accessible firearms, and major stores of weapons used in school shootings, to suicide, and unintentional shooting deaths among children. Studies have shown that 70 percent to 90 percent of guns used in youth suicide, unintentional shootings among children, and school shootings perpetuated by shooters under the age of 18 are acquired from the home or the homes of relatives or friends. The evidence is clear, S.B. 294 (R1) and laws that ensure firearms are kept out of the reach of Nevada's youth will save lives. Committee, I urge your support of S.B. 294 (R1).

**Chair Miller:**

Seeing no one else in support in Carson City, is there anyone on the phone? Hearing no one, I will open it up for opposition testimony. Is there anyone in Carson City who would like to testify in opposition to Senate Bill 294 (1st Reprint)?

**Barry Cole, Private Citizen, Reno, Nevada:**

My opposition is about more than 50,000 pupils. My grandson goes to Silverland Middle School in Fernley. You may remember two months ago, another classmate brought a semiautomatic pistol to the Silverland Middle School. Thank God the magazine had been removed while the young man was brandishing his weapon and showing his classmates. My grandson was sitting there with one son between them.

When I was working in Northern Nevada Adult Mental Health, we had an episode in 2016 where a gentleman was quite unhappy outside of our building, walking around with a pistol. I had to move my patients into an inside corridor so that he could not shoot through a window. That is the second episode that I have been involved with. If you go back to the late eighties, two of our psychologists were shot on the campus of Northern Nevada Adult Mental Health Services. One is my own personal team psychologist, Ingrid Moore, and the shooter was the husband of my patient.

This is real, and our kids are living with this every day. It is not that I have any opposition to the bill, I want to get it to where the number is—if you have a school with one student, you need to be doing this and thinking about this right now. It should not just be Clark County and Washoe County that get to have all the resources and the other 15 counties do not. I think we have a statewide problem; we have a national problem.

Just to let you know, I was in rural Pennsylvania two weeks ago and they were giving away free locks for your firearms when you went to the gun store. My sister and brother-in-law were looking at some interesting firearms because she has a farm and yeah, in her box, she got the locks with the weapon, but they gave away free locks. In Pennsylvania they have a sign up about state law requiring safe storage. I think we all agree about that. My only objection is please lower the number to, if you have a school with any kids in it, follow the same guidelines because practice will help—I think in the future—to not have kids with post-traumatic stress disorder after the shooting events happen. Having been locked down a couple of times, it freaks me out, and I supposedly have a lot of mental health training. I ask you to think about it and make one last revision. I am happy to work with Senator Doñate or anybody else to get this.

**Chair Miller:**

Is there any other opposition testimony in Carson City? Seeing no one, is there anyone on the phone? Hearing no one, I open it up for neutral testimony in Carson City. Seeing no one, is there anyone on the phone? Hearing no one, I will welcome Senator Doñate back up for any closing remarks.



**Senator Doñate:**

Thank you so much. I want to graciously share my gratitude to all the Committee members for hearing us today, and to Ms. Bivins, of course, for joining me. She was not able to come to Carson City simply because of her job and everything, but we are close family friends and I appreciate the fact that we got to present a constituent bill to all of you. Thank you, everyone, and we will work with Assemblyman Yurek on the conceptual amendment to get it at the right spot.

**Chair Miller:**

I will close the hearing on Senate Bill 294 (1st Reprint). Our last item of business today is public comment. Is there anyone in Carson City wishing to make public comment? Seeing no one, is there anyone on the phone? Hearing no one, I will close public comment. That concludes our order of business for today. We do not have a hearing scheduled for tomorrow, but stay tuned; as you know, things are just popping up. I will go ahead and adjourn this meeting at [9:35 a.m.].

RESPECTFULLY SUBMITTED:

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Connor Schmitz  
Recording Secretary

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Nancy Davis  
Transcribing Secretary

APPROVED BY:

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Assemblywoman Brittney Miller, Chair

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

## **EXHIBITS**

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is a proposed amendment to Senate Bill 294 (1st Reprint), presented by Thomas Morley, representing Nevada Firearms Coalition.

[Exhibit D](#) is a copy of a PowerPoint presentation titled "SB 294 Safe Storage and School Safety," dated May 25, 2023, presented by Senator Fabian Doñate, Senate District No. 10.

[Exhibit E](#) is a document titled "Clark County School District Weapons Search Program," submitted by Senator Fabian Doñate, Senate District No. 10.

[Exhibit F](#) is a document titled "Clark County School District Firearms Confiscation Report," submitted by Senator Fabian Doñate, Senate District No. 10.

[Exhibit G](#) is written testimony dated May 25, 2023, provided by Annette Magnus, Executive Director, Battle Born Progress, in support of Senate Bill 291 (1st Reprint).