

ASSEMBLY BILL NO. 2—ASSEMBLYMAN HAMBRICK

PREFILED DECEMBER 19, 2014

Referred to Committee on Judiciary

SUMMARY—Authorizes possession of a weapon in a vehicle that is on the property of certain educational entities or child care facilities in certain circumstances. (BDR 15-75)

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 crimes; authorizing possession of a weapon in a vehicle that is on the property of certain educational entities or child care facilities in certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law generally makes it a gross misdemeanor to carry or possess certain
2 weapons while on the property of the Nevada System of Higher Education, a
3 private or public school or a child care facility, or while in a vehicle of a private or
4 public school or a child care facility except in certain circumstances. (NRS
5 202.265) This bill adds an exception so that a person is not prohibited from
6 possessing such weapons on the property of the Nevada System of Higher
7 Education, a private or public school or a child care facility if the weapon remains
8 out of public view and if the weapon is: (1) inside a motor vehicle that is occupied
9 or, if the motor vehicle is unoccupied, the motor vehicle is locked; or (2) stored in a
10 locked container that is affixed securely to the motor vehicle.

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

1 Section 1. NRS 202.265 is hereby amended to read as follows:
2 202.265 1. Except as otherwise provided in this section, a
3 person shall not carry or possess while on the property of the
4 Nevada System of Higher Education, a private or public school or a
5 child care facility, or while in a vehicle of a private or public school
6 or a child care facility:



- 1 (a) An explosive or incendiary device;
- 2 (b) A dirk, dagger or switchblade knife;
- 3 (c) A nunchaku or trefoil;
- 4 (d) A blackjack or billy club or metal knuckles;
- 5 (e) A pistol, revolver or other firearm; or
- 6 (f) Any device used to mark any part of a person with paint or
- 7 any other substance.

8 2. Any person who violates subsection 1 is guilty of a gross
9 misdemeanor.

10 3. This section does not prohibit the possession of a weapon
11 listed in subsection 1 on the property of:

12 (a) A private or public school or child care facility by a:

- 13 (1) Peace officer;
- 14 (2) School security guard; or
- 15 (3) Person having written permission from the president of a
16 branch or facility of the Nevada System of Higher Education or the
17 principal of the school or the person designated by a child care
18 facility to give permission to carry or possess the weapon.

19 (b) A child care facility which is located at or in the home of a
20 natural person by the person who owns or operates the facility so
21 long as the person resides in the home and the person complies with
22 any laws governing the possession of such a weapon.

23 (c) *The Nevada System of Higher Education, a private or*
24 *public school or a child care facility if the weapon remains out of*
25 *common observation and is:*

- 26 (1) *Inside a motor vehicle, other than a school bus, that is:*
27 *(I) Occupied; or*
28 *(II) Unoccupied and locked; or*
29 (2) *Stored in a locked container that is affixed securely to a*
30 *motor vehicle, other than a school bus.*

31 4. The provisions of this section apply to a child care facility
32 located at or in the home of a natural person only during the normal
33 hours of business of the facility.

34 5. For the purposes of this section:

35 (a) "Child care facility" means any child care facility that is
36 licensed pursuant to chapter 432A of NRS or licensed by a city or
37 county.

38 (b) "Firearm" includes any device from which a metallic
39 projectile, including any ball bearing or pellet, may be expelled by
40 means of spring, gas, air or other force.

41 (c) "Nunchaku" has the meaning ascribed to it in NRS 202.350.

42 (d) *"School bus" has the meaning ascribed to it in*
43 *NRS 484A.230.*

44 (e) "Switchblade knife" has the meaning ascribed to it in
45 NRS 202.350.



1 ~~[(e)]~~ (f) “Trefoil” has the meaning ascribed to it in
2 NRS 202.350.
3 ~~[(f) “Vehicle” has the meaning ascribed to “school bus” in~~
4 ~~NRS 484A.230.]~~

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