

ASSEMBLY BILL NO. 437—ASSEMBLYMEN WHEELER,
HAFEN, TITUS AND ELLISON

MARCH 25, 2019

Referred to Committee on Judiciary

SUMMARY—Eliminates the requirement to possess a permit to carry a concealed firearm. (BDR 15-992)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 firearms; eliminating the requirement to possess a permit to carry a concealed firearm; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law generally prohibits a person from carrying concealed upon his or
2 her person any pistol, revolver or other firearm, other dangerous or deadly weapon
3 or pneumatic gun unless the person is authorized to do so because he or she holds a
4 permit to carry a concealed firearm or is otherwise exempt from such a prohibition.
5 (NRS 202.350) **Section 3** of this bill removes the prohibition against carrying a
6 concealed firearm, enacting what is commonly referred to as “constitutional carry.”
7 However, this bill retains the provisions of law governing the issuance of permits to
8 carry concealed firearms. Accordingly, **section 1** of this bill clarifies that: (1) a
9 person who may lawfully possess a firearm in Nevada and who is not otherwise
10 prohibited by specific statute from carrying a concealed firearm under the
11 circumstances may carry a concealed firearm in Nevada without possessing a
12 permit; and (2) the continued existence of procedures for the issuance of a permit to
13 carry a concealed firearm must not be construed to impose any prohibition on the
14 carrying of a concealed firearm without a permit by any person in this State,
15 regardless of whether or not that person is a resident of Nevada. **Sections 2 and 4-**
16 **10** of this bill make conforming changes.

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

1 **Section 1.** Chapter 202 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *The Legislature hereby finds and declares that:*



1 *1. Pursuant to the amendatory provisions of this act, any*
2 *person who may lawfully possess a firearm in this State and who is*
3 *not otherwise prohibited by specific statute from carrying a*
4 *concealed firearm under the circumstances may carry a concealed*
5 *firearm in this State without possessing a permit to carry a*
6 *concealed firearm issued pursuant to the provisions of NRS*
7 *202.3653 to 202.369, inclusive.*

8 *2. The continued existence of procedures for the issuance of*
9 *a permit to carry a concealed firearm pursuant to the provisions of*
10 *NRS 202.3653 to 202.369, inclusive, must not be construed to*
11 *impose any prohibition on the carrying of a concealed firearm*
12 *without a permit by any person in this State, regardless of whether*
13 *or not that person is a resident of this State.*

14 **Sec. 2.** NRS 202.340 is hereby amended to read as follows:

15 202.340 1. Except as otherwise provided for firearms
16 forfeitable pursuant to NRS 453.301, when any instrument or
17 weapon described in NRS 202.350 *or any firearm* is taken from the
18 possession of any person charged with the commission of any public
19 offense or crime or any child charged with committing a delinquent
20 act, the instrument , ~~or~~ *or firearm* must be surrendered to:

21 (a) The head of the police force or department of an
22 incorporated city if the possession thereof was detected by any
23 member of the police force of the city; or

24 (b) The chief administrator of a state law enforcement agency,
25 for disposal pursuant to NRS 333.220, if the possession thereof was
26 detected by any member of the agency.

27 ↪ In all other cases, the instrument , ~~or~~ *or firearm* must
28 be surrendered to the sheriff of the county or the sheriff of the
29 metropolitan police department for the county in which the
30 instrument , ~~or~~ *or firearm* was taken.

31 2. Except as otherwise provided in subsection 5, the governing
32 body of the county or city or the metropolitan police committee on
33 fiscal affairs shall at least once a year order the local law
34 enforcement officer to whom any instrument , ~~or~~ *or*
35 *firearm* is surrendered pursuant to subsection 1 to:

36 (a) Retain the confiscated instrument , ~~or~~ *or firearm*
37 for use by the law enforcement agency headed by the officer;

38 (b) Sell the confiscated instrument , ~~or~~ *or firearm* to
39 another law enforcement agency;

40 (c) Destroy or direct the destruction of the confiscated
41 instrument , ~~or~~ *or firearm* if it is not otherwise required to
42 be destroyed pursuant to subsection 5;

43 (d) Trade the confiscated instrument , ~~or~~ *or firearm* to
44 a properly licensed retailer or wholesaler in exchange for equipment
45 necessary for the performance of the agency's duties; or



1 (e) Donate the confiscated instrument , ~~{}{}~~ weapon *or firearm*
2 to a museum, the Nevada National Guard or, if appropriate, to
3 another person for use which furthers a charitable or public interest.

4 3. All proceeds of a sale ordered pursuant to subsection 2 by:

5 (a) The governing body of a county or city must be deposited
6 with the county treasurer or the city treasurer and the county
7 treasurer or the city treasurer shall credit the proceeds to the general
8 fund of the county or city.

9 (b) A metropolitan police committee on fiscal affairs must be
10 deposited in a fund which was created pursuant to NRS 280.220.

11 4. Any officer receiving an order pursuant to subsection 2 shall
12 comply with the order as soon as practicable.

13 5. Except as otherwise provided in subsection 6, the officer to
14 whom a confiscated instrument , ~~{}{}~~ weapon *or firearm* is
15 surrendered pursuant to subsection 1 shall:

16 (a) Except as otherwise provided in paragraph (c), destroy or
17 direct to be destroyed any instrument , ~~{}{}~~ weapon *or firearm*
18 which is determined to be dangerous to the safety of the public.

19 (b) Except as otherwise provided in paragraph (c), return any
20 instrument , ~~{}{}~~ weapon ~~{}{}~~ *or firearm* which has not been
21 destroyed pursuant to paragraph (a):

22 (1) Upon demand, to the person from whom the instrument ,
23 ~~{}{}~~ weapon *or firearm* was confiscated if the person is acquitted of
24 the public offense or crime of which the person was charged; or

25 (2) To the legal owner of the instrument , ~~{}{}~~ weapon *or*
26 *firearm* if the Attorney General or the district attorney determines
27 that the instrument , ~~{}{}~~ weapon *or firearm* was unlawfully
28 acquired from the legal owner. If retention of the instrument , ~~{}{}~~
29 weapon *or firearm* is ordered or directed pursuant to paragraph (c),
30 except as otherwise provided in paragraph (a), the instrument , ~~{}{}~~
31 weapon *or firearm* must be returned to the legal owner as soon as
32 practicable after the order or direction is rescinded.

33 (c) Retain the confiscated instrument , ~~{}{}~~ weapon *or firearm*
34 held by the officer pursuant to an order of a judge of a court of
35 record or by direction of the Attorney General or district attorney
36 that the retention is necessary for purposes of evidence, until the
37 order or direction is rescinded.

38 (d) Return any instrument , ~~{}{}~~ weapon *or firearm* which was
39 stolen to its rightful owner, unless the return is otherwise prohibited
40 by law.

41 6. Before any disposition pursuant to subsection 5, the officer
42 who is in possession of the confiscated instrument , ~~{}{}~~ weapon *or*
43 *firearm* shall submit a full description of the instrument , ~~{}{}~~
44 weapon *or firearm* to a laboratory which provides forensic services



1 in this State. The director of the laboratory shall determine whether
2 the instrument, ~~for~~ weapon ~~is~~ *or firearm*:

3 (a) Must be sent to the laboratory for examination as part of a
4 criminal investigation; or

5 (b) Is a necessary addition to a referential collection maintained
6 by the laboratory for purposes relating to law enforcement.

7 **Sec. 3.** NRS 202.350 is hereby amended to read as follows:

8 202.350 1. Except as otherwise provided in this section, ~~and~~
9 ~~NRS 202.3653 to 202.369, inclusive,~~ a person within this State
10 shall not:

11 (a) Manufacture or cause to be manufactured, or import into the
12 State, or keep, offer or expose for sale, or give, lend or possess any
13 instrument or weapon of the kind commonly known as a blackjack,
14 slungshot, billy, sand-club, sandbag or metal knuckles;

15 (b) Manufacture or cause to be manufactured, or import into the
16 State, or keep, offer or expose for sale, or give, lend, possess or use
17 a machine gun or a silencer, unless authorized by federal law;

18 (c) With the intent to inflict harm upon the person of another,
19 possess or use a nunchaku or trefoil; or

20 (d) Carry concealed upon his or her person any:

21 (1) Explosive substance, other than ammunition or any
22 components thereof;

23 (2) Machete; or

24 (3) ~~[Pistol, revolver or other firearm, other]~~ *Other* dangerous
25 or deadly weapon ~~[or pneumatic gun.]~~ *that is not a firearm.*

26 2. Except as otherwise provided in NRS 202.275 and 212.185,
27 a person who violates any of the provisions of:

28 (a) Paragraph (a) or (c) of subsection 1 or subparagraph (2) of
29 paragraph (d) of subsection 1 is guilty:

30 (1) For the first offense, of a gross misdemeanor.

31 (2) For any subsequent offense, of a category D felony and
32 shall be punished as provided in NRS 193.130.

33 (b) Paragraph (b) of subsection 1 or subparagraph (1) or (3) of
34 paragraph (d) of subsection 1 is guilty of a category C felony and
35 shall be punished as provided in NRS 193.130.

36 3. Except as otherwise provided in this subsection, the sheriff
37 of any county may, upon written application by a resident of that
38 county showing the reason or the purpose for which a concealed
39 weapon is to be carried, issue a permit authorizing the applicant to
40 carry in this State the concealed weapon described in the permit.
41 This subsection does not authorize the sheriff to issue a permit to a
42 person to carry a pistol, revolver or other firearm.

43 4. Except as otherwise provided in subsection 5, this section
44 does not apply to:



1 (a) Sheriffs, constables, marshals, peace officers, correctional
2 officers employed by the Department of Corrections, special police
3 officers, police officers of this State, whether active or honorably
4 retired, or other appointed officers.

5 (b) Any person summoned by any peace officer to assist in
6 making arrests or preserving the peace while the person so
7 summoned is actually engaged in assisting such an officer.

8 (c) Any full-time paid peace officer of an agency of the United
9 States or another state or political subdivision thereof when carrying
10 out official duties in the State of Nevada.

11 (d) Members of the Armed Forces of the United States when on
12 duty.

13 5. The exemptions provided in subsection 4 do not include a
14 former peace officer who is retired for disability unless his or her
15 former employer has approved his or her fitness to carry a concealed
16 weapon.

17 6. The provisions of paragraph (b) of subsection 1 do not apply
18 to any person who is licensed, authorized or permitted to possess or
19 use a machine gun or silencer pursuant to federal law. The burden of
20 establishing federal licensure, authorization or permission is upon
21 the person possessing the license, authorization or permission.

22 7. This section shall not be construed to prohibit a qualified
23 law enforcement officer or a qualified retired law enforcement
24 officer from carrying a concealed weapon in this State if he or she is
25 authorized to do so pursuant to 18 U.S.C. § 926B or 926C.

26 8. As used in this section:

27 (a) "Concealed weapon" means a weapon described in this
28 section that is carried upon a person in such a manner as not to be
29 discernible by ordinary observation.

30 (b) "Honorably retired" means retired in Nevada after
31 completion of 10 years of creditable service as a member of the
32 Public Employees' Retirement System. A former peace officer is
33 not "honorably retired" if he or she was discharged for cause or
34 resigned before the final disposition of allegations of serious
35 misconduct.

36 (c) "Machine gun" means any weapon which shoots, is designed
37 to shoot or can be readily restored to shoot more than one shot,
38 without manual reloading, by a single function of the trigger.

39 (d) "Nunchaku" means an instrument consisting of two or more
40 sticks, clubs, bars or rods connected by a rope, cord, wire or chain
41 used as a weapon in forms of Oriental combat.

42 (e) ~~["Pneumatic gun" has the meaning ascribed to it in~~
43 ~~NRS 202.265.~~

44 ~~(f)~~ "Qualified law enforcement officer" has the meaning
45 ascribed to it in 18 U.S.C. § 926B(c).



1 ~~(e)~~ (f) “Qualified retired law enforcement officer” has the
2 meaning ascribed to it in 18 U.S.C. § 926C(c).

3 ~~(h)~~ (g) “Silencer” means any device for silencing, muffling or
4 diminishing the report of a firearm, including any combination of
5 parts, designed or redesigned, and intended for use in assembling or
6 fabricating a silencer or muffler, and any part intended only for use
7 in such assembly or fabrication.

8 ~~(i)~~ (h) “Trefoil” means an instrument consisting of a metal
9 plate having three or more radiating points with sharp edges,
10 designed in the shape of a star, cross or other geometric figure and
11 used as a weapon for throwing.

12 **Sec. 4.** NRS 202.3653 is hereby amended to read as follows:

13 202.3653 As used in NRS 202.3653 to 202.369, inclusive, *and*
14 *section 1 of this act*, unless the context otherwise requires:

15 1. “Concealed firearm” means a loaded or unloaded handgun
16 which is carried upon a person in such a manner as not to be
17 discernible by ordinary observation.

18 2. “Department” means the Department of Public Safety.

19 3. “Handgun” has the meaning ascribed to it in 18 U.S.C. §
20 921(a)(29).

21 4. “Permit” means a permit to carry a concealed firearm issued
22 pursuant to the provisions of NRS 202.3653 to 202.369, inclusive.

23 **Sec. 5.** NRS 33.018 is hereby amended to read as follows:

24 33.018 1. Domestic violence occurs when a person commits
25 one of the following acts against or upon the person’s spouse or
26 former spouse, any other person to whom the person is related by
27 blood or marriage, any other person with whom the person has had
28 or is having a dating relationship, any other person with whom the
29 person has a child in common, the minor child of any of those
30 persons, the person’s minor child or any other person who has been
31 appointed the custodian or legal guardian for the person’s minor
32 child:

33 (a) A battery.

34 (b) An assault.

35 (c) Compelling the other person by force or threat of force to
36 perform an act from which the other person has the right to refrain
37 or to refrain from an act which the other person has the right to
38 perform.

39 (d) A sexual assault.

40 (e) A knowing, purposeful or reckless course of conduct
41 intended to harass the other person. Such conduct may include, but
42 is not limited to:

43 (1) Stalking.

44 (2) Arson.

45 (3) Trespassing.



- 1 (4) Larceny.
- 2 (5) Destruction of private property.
- 3 (6) ~~Carrying~~ *Unlawfully carrying* a concealed weapon .
- 4 ~~[without a permit.]~~
- 5 (7) Injuring or killing an animal.
- 6 (f) A false imprisonment.
- 7 (g) Unlawful entry of the other person’s residence, or forcible
- 8 entry against the other person’s will if there is a reasonably
- 9 foreseeable risk of harm to the other person from the entry.

10 2. As used in this section, “dating relationship” means
 11 frequent, intimate associations primarily characterized by the
 12 expectation of affectional or sexual involvement. The term does not
 13 include a casual relationship or an ordinary association between
 14 persons in a business or social context.

15 **Sec. 6.** NRS 171.1225 is hereby amended to read as follows:
 16 171.1225 1. When investigating an act of domestic violence,
 17 a peace officer shall:

18 (a) Make a good faith effort to explain the provisions of NRS
 19 171.137 pertaining to domestic violence and advise victims of all
 20 reasonable means to prevent further abuse, including advising each
 21 person of the availability of a shelter or other services in the
 22 community.

23 (b) Provide a person suspected of being the victim of an act of
 24 domestic violence with a written copy of the following statements:

25 (1) My name is Officer (naming the
 26 investigating officer). Nevada law requires me to inform you of the
 27 following information.

28 (2) If I have probable cause to believe that a battery has been
 29 committed against you, your minor child or the minor child of the
 30 person believed to have committed the battery in the last 24 hours
 31 by your spouse, your former spouse, any other person to whom you
 32 are related by blood or marriage, a person with whom you have had
 33 or are having a dating relationship or a person with whom you have
 34 a child in common, I am required, unless mitigating circumstances
 35 exist, to arrest the person suspected of committing the battery.

36 (3) If I am unable to arrest the person suspected of
 37 committing the battery, you have the right to request that the
 38 prosecutor file a criminal complaint against the person. I can
 39 provide you with information on this procedure. If convicted, the
 40 person who committed the battery may be placed on probation,
 41 ordered to see a counselor, put in jail or fined.

42 (4) The law provides that you may seek a court order for the
 43 protection of you, your minor children or any animal that is owned
 44 or kept by you, by the person who committed or threatened the act
 45 of domestic violence or by the minor child of either such person



1 against further threats or acts of domestic violence. You do not need
2 to hire a lawyer to obtain such an order for protection.

3 (5) An order for protection may require the person who
4 committed or threatened the act of domestic violence against you to:

5 (I) Stop threatening, harassing or injuring you or your
6 children;

7 (II) Move out of your residence;

8 (III) Stay away from your place of employment;

9 (IV) Stay away from the school attended by your
10 children;

11 (V) Stay away from any place you or your children
12 regularly go;

13 (VI) Avoid or limit all communication with you or your
14 children;

15 (VII) Stop physically injuring, threatening to injure or
16 taking possession of any animal that is owned or kept by you or
17 your children, either directly or through an agent; and

18 (VIII) Stop physically injuring or threatening to injure
19 any animal that is owned or kept by the person who committed or
20 threatened the act or his or her children, either directly or through an
21 agent.

22 (6) A court may make future orders for protection which
23 award you custody of your children and require the person who
24 committed or threatened the act of domestic violence against you to:

25 (I) Pay the rent or mortgage due on the place in which
26 you live;

27 (II) Pay the amount of money necessary for the support of
28 your children;

29 (III) Pay part or all of the costs incurred by you in
30 obtaining the order for protection; and

31 (IV) Comply with the arrangements specified for the
32 possession and care of any animal owned or kept by you or your
33 children or by the person who committed or threatened the act or his
34 or her children.

35 (7) To get an order for protection, go to room number
36 (state the room number of the office at the court) at the court, which
37 is located at (state the address of the court). Ask the
38 clerk of the court to provide you with the forms for an order of
39 protection.

40 (8) If the person who committed or threatened the act of
41 domestic violence against you violates the terms of an order for
42 protection, the person may be arrested and, if:

43 (I) The arresting officer determines that such a violation
44 is accompanied by a direct or indirect threat of harm;



1 (II) The person has previously violated a temporary or
2 extended order for protection; or

3 (III) At the time of the violation or within 2 hours after
4 the violation, the person has a concentration of alcohol of 0.08 or
5 more in the person's blood or breath or an amount of a prohibited
6 substance in the person's blood or urine, as applicable, that is equal
7 to or greater than the amount set forth in subsection 3 or 4 of
8 NRS 484C.110,

9 ➔ the person will not be admitted to bail sooner than 12 hours after
10 arrest.

11 (9) You may obtain emergency assistance or shelter by
12 contacting your local program against domestic violence at
13 (state name, address and telephone number of local
14 program) or you may call, without charge to you, the Statewide
15 Program Against Domestic Violence at (state toll-
16 free telephone number of Statewide Program).

17 2. The failure of a peace officer to carry out the requirements
18 set forth in subsection 1 is not a defense in a criminal prosecution
19 for the commission of an act of domestic violence, nor may such an
20 omission be considered as negligence or as causation in any civil
21 action against the peace officer or the officer's employer.

22 3. As used in this section:

23 (a) "Act of domestic violence" means any of the following acts
24 committed by a person against his or her spouse, former spouse, any
25 other person to whom he or she is related by blood or marriage, a
26 person with whom he or she has had or is having a dating
27 relationship, a person with whom he or she has a child in common,
28 the minor child of any of those persons or his or her minor child:

29 (1) A battery.

30 (2) An assault.

31 (3) Compelling the other by force or threat of force to
32 perform an act from which he or she has the right to refrain or to
33 refrain from an act which he or she has the right to perform.

34 (4) A sexual assault.

35 (5) A knowing, purposeful or reckless course of conduct
36 intended to harass the other. Such conduct may include, but is not
37 limited to:

38 (I) Stalking.

39 (II) Arson.

40 (III) Trespassing.

41 (IV) Larceny.

42 (V) Destruction of private property.

43 (VI) ~~Carrying~~ **Unlawfully carrying** a concealed weapon
44 ~~. [without a permit.]~~

45 (VII) Injuring or killing an animal.



1 (6) False imprisonment.

2 (7) Unlawful entry of the other's residence, or forcible entry
3 against the other's will if there is a reasonably foreseeable risk of
4 harm to the other from the entry.

5 (b) "Dating relationship" means frequent, intimate associations
6 primarily characterized by the expectation of affectional or sexual
7 involvement. The term does not include a casual relationship or an
8 ordinary association between persons in a business or social context.

9 **Sec. 7.** NRS 213.10983 is hereby amended to read as follows:

10 213.10983 1. A parole or probation officer shall immediately
11 deliver to the Division any seized, abandoned or unclaimed
12 property, other than an instrument or weapon described in NRS
13 202.350 ~~and~~ *or any firearm*, which the parole or probation officer
14 obtains in the pursuance of his or her duty, unless the parole or
15 probation officer is required to retain the property as evidence
16 pursuant to a court order or directive of the Attorney General or a
17 district attorney. Property retained as evidence must be placed in a
18 secured locker for evidence at a law enforcement agency in this state
19 and when released from evidence must be immediately delivered to
20 the Division.

21 2. The Division shall keep the property for return to the owner
22 and, unless it is contraband, return it to the owner if the owner
23 submits a claim to the Division and establishes his or her ownership
24 within 1 year after the Division comes into possession of it.
25 Contraband includes any property which, if possessed by a parolee
26 or probationer, would constitute a violation of the terms of his or her
27 parole or probation or any federal or state law. Contraband becomes
28 the property of the Division.

29 3. Any contraband consisting of controlled substances or
30 dangerous drugs must be disposed of or destroyed as provided by
31 law.

32 4. If the Division is not able to determine the owner of the
33 property within the 1-year period, the Division acquires title to it
34 and the Chief Parole and Probation Officer shall:

35 (a) Sell the property at a public auction at the same times and
36 places that confiscated instruments, ~~and~~ *weapons and firearms*
37 are sold; or

38 (b) Retain the property for the official use of the Division.

39 5. The Division shall keep accurate records of all property
40 governed by this section.

41 **Sec. 8.** NRS 213.10985 is hereby amended to read as follows:

42 213.10985 1. A parole or probation officer shall immediately
43 deliver to the Division any seized, abandoned or unclaimed
44 instrument or weapon described in NRS 202.350 *or any firearm*
45 which the parole or probation officer obtains in the pursuance of his



1 or her duty, unless the parole or probation officer is required to
2 retain it as evidence pursuant to a court order or directive of the
3 Attorney General or a district attorney. Property retained as
4 evidence must be placed in a secured locker for evidence at a law
5 enforcement agency in this state and when released from evidence
6 must be immediately delivered to the Division.

7 2. The Division shall:

8 (a) Destroy or direct to be destroyed the instrument , ~~or~~
9 weapon *or firearm* if it is determined to be dangerous to the safety
10 of the public.

11 (b) Return an instrument , ~~or~~ weapon *or firearm* which has not
12 been destroyed pursuant to paragraph (a), upon demand, to any
13 person other than a parolee or probationer:

14 (1) From whom it was confiscated if that person is acquitted
15 of the public offense or crime of which that person was charged; or

16 (2) Who otherwise claims and establishes ownership of it.
17 Any such instrument , ~~or~~ weapon *or firearm* which is not
18 destroyed, returned or claimed within 1 year after the Division
19 comes into possession of it becomes the property of the Division.

20 3. The Chief Parole and Probation Officer shall at least once a
21 year order the officers who have custody of such instruments , ~~and~~
22 weapons *and firearms* that have become the property of the
23 Division to:

24 (a) Retain ~~the~~ *any such* instrument , ~~or~~ weapon *or firearm*
25 for official use by the Division.

26 (b) Deliver ~~the instruments and weapons~~ *any such instrument,*
27 *weapon or firearm* to another custodial officer of the Division to be
28 sold.

29 (c) Sell any such instrument , ~~or~~ weapon *or firearm* to another
30 law enforcement agency at a price not less than its prevailing market
31 value.

32 (d) Sell all unretained and unsold instruments , ~~and~~ weapons
33 *and firearms* at a public auction to be held at least once in each
34 year, after notice of such public auction describing the ~~instrument~~
35 ~~or~~ *instruments*, weapons *and firearms* to be sold is published once
36 a week for 2 weeks immediately preceding the date of the auction in
37 a newspaper of general circulation in the county or city of the sale.

38 4. All proceeds of the sales provided for in subsection 3 must
39 be deposited with the State Treasurer for credit to the State General
40 Fund.

41 5. Any officer receiving an order as provided in subsection 3
42 shall comply with such order as soon as practicable.

43 6. The Division shall keep accurate records of all instruments ,
44 ~~and~~ weapons *and firearms* governed by this section.



1 **Sec. 9.** NRS 217.400 is hereby amended to read as follows:
2 217.400 As used in NRS 217.400 to 217.475, inclusive, unless
3 the context otherwise requires:

4 1. "Dating relationship" means frequent, intimate associations
5 primarily characterized by the expectation of affectional or sexual
6 involvement. The term does not include a casual relationship or an
7 ordinary association between persons in a business or social context.

8 2. "Division" means the Division of Child and Family Services
9 of the Department of Health and Human Services.

10 3. "Domestic violence" means:

11 (a) The attempt to cause or the causing of bodily injury to a
12 family or household member or the placing of the member in fear of
13 imminent physical harm by threat of force.

14 (b) Any of the following acts committed by a person against a
15 family or household member, a person with whom he or she had or
16 is having a dating relationship or with whom he or she has a child in
17 common, or upon his or her minor child or a minor child of that
18 person:

19 (1) A battery.

20 (2) An assault.

21 (3) Compelling the other by force or threat of force to
22 perform an act from which he or she has the right to refrain or to
23 refrain from an act which he or she has the right to perform.

24 (4) A sexual assault.

25 (5) A knowing, purposeful or reckless course of conduct
26 intended to harass the other. Such conduct may include, without
27 limitation:

28 (I) Stalking.

29 (II) Arson.

30 (III) Trespassing.

31 (IV) Larceny.

32 (V) Destruction of private property.

33 (VI) ~~Carrying~~ *Unlawfully carrying* a concealed weapon
34 ~~. [without a permit.]~~

35 (6) False imprisonment.

36 (7) Unlawful entry of the other's residence, or forcible entry
37 against the other's will if there is a reasonably foreseeable risk of
38 harm to the other from the entry.

39 4. "Family or household member" means a spouse, a former
40 spouse, a parent or other adult person who is related by blood or
41 marriage or is or was actually residing with the person committing
42 the act of domestic violence.

43 5. "Participant" means an adult, child or incapacitated person
44 for whom a fictitious address has been issued pursuant to NRS
45 217.462 to 217.471, inclusive.



1 6. "Victim of domestic violence" includes the dependent
2 children of the victim.

3 7. "Victim of human trafficking" means a person who is a
4 victim of:

5 (a) Involuntary servitude as set forth in NRS 200.463 or
6 200.464.

7 (b) A violation of any provision of NRS 200.465.

8 (c) Trafficking in persons in violation of any provision of NRS
9 200.467 or 200.468.

10 (d) Sex trafficking in violation of any provision of
11 NRS 201.300.

12 (e) A violation of NRS 201.320.

13 8. "Victim of sexual assault" means a person who has been
14 sexually assaulted as defined in NRS 200.366 or a person upon
15 whom a sexual assault has been attempted.

16 9. "Victim of stalking" means a person who is a victim of the
17 crime of stalking or aggravated stalking as set forth in NRS 200.575.

18 **Sec. 10.** NRS 202.3667, 202.3688 and 202.3689 are hereby
19 repealed.

TEXT OF REPEALED SECTIONS

202.3667 Permittee to carry permit and proper identification when in possession of concealed firearm; penalty.

1. Each permittee shall carry the permit, or a duplicate issued pursuant to the provisions of NRS 202.367, together with proper identification whenever the permittee is in actual possession of a concealed firearm. Both the permit and proper identification must be presented if requested by a peace officer.

2. A permittee who violates the provisions of this section is subject to a civil penalty of \$25 for each violation.

202.3688 Circumstances in which holder of permit issued by another state may carry concealed firearm in this State.

1. Except as otherwise provided in subsection 2, a person who possesses a permit to carry a concealed firearm that was issued by a state included in the list prepared pursuant to NRS 202.3689 may carry a concealed firearm in this State in accordance with the requirements set forth in NRS 202.3653 to 202.369, inclusive.

2. A person who possesses a permit to carry a concealed firearm that was issued by a state included in the list prepared pursuant to NRS 202.3689 may not carry a concealed firearm in this State if the person:



- (a) Becomes a resident of this State; and
- (b) Has not been issued a permit from the sheriff of the county in which he or she resides within 60 days after becoming a resident of this State.

202.3689 Department to prepare list of states that meet certain requirements concerning permits; Department to provide copy of list to law enforcement agencies in this State; Department to make list available to public.

1. On or before July 1 of each year, the Department shall:

(a) Determine whether each state requires a person to complete any training, class or program before the issuance of a permit to carry a concealed firearm in that state.

(b) Determine whether each state has an electronic database which identifies each individual who possesses a valid permit to carry a concealed firearm issued by that state and which a law enforcement officer in this State may access at all times through a national law enforcement telecommunications system.

(c) Prepare a list of states that meet the requirements of paragraphs (a) and (b).

(d) Provide a copy of the list prepared pursuant to paragraph (c) to each law enforcement agency in this State.

2. The Department shall, upon request, make the list prepared pursuant to subsection 1 available to the public.



