

SENATE BILL NO. 350—SENATOR KIECKHEFER

MARCH 16, 2015

Referred to Committee on Judiciary

SUMMARY—Makes various changes relating to concealed firearms. (BDR 20-1031)

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 concealed firearms; authorizing a sheriff to provide certain information concerning the availability of certain courses relating to firearm safety; authorizing persons who hold permits to carry concealed firearms to carry concealed firearms on the property of the Nevada System of Higher Education under certain circumstances; authorizing the Police Department for the System to provide certain information concerning the availability of certain courses relating to firearm safety; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Section 1** of this bill authorizes the sheriff of a county to provide to persons
2 who hold permits to carry concealed firearms information concerning instructors
3 and organizations that offer courses in firearm safety which focus on issues relating
4 to firearm safety in an educational environment.

5 Existing law prohibits a person from carrying a concealed firearm on the
6 property of the Nevada System of Higher Education, unless the person holds a
7 permit to carry a concealed firearm and has written permission from the president
8 of a branch or facility of the System to carry the concealed firearm. (NRS 202.265,
9 202.3673) **Sections 3, 4 and 6** of this bill authorize a person who holds a permit to
10 carry a concealed firearm to carry a concealed firearm while on the property of the
11 System unless the person is attending an event held at a sporting venue with a
12 seating capacity of 1,000 or more.

13 **Section 5** of this bill authorizes the Police Department for the System to
14 provide to persons who hold permits to carry concealed firearms information
15 concerning instructors and organizations that offer courses in firearm safety which
16 focus on issues relating to firearm safety in an educational environment.



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

1 **Section 1.** Chapter 248 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *The sheriff of each county may, within the limits of available*
4 *money, provide to persons who are authorized to carry concealed*
5 *firearms pursuant to the provisions of NRS 202.3653 to 202.369,*
6 *inclusive, information concerning instructors and organizations*
7 *that offer courses in firearm safety which focus on issues relating*
8 *to firearm safety in an educational environment.*

9 **Sec. 2.** NRS 62C.060 is hereby amended to read as follows:

10 62C.060 1. If a child is taken into custody for an unlawful act
11 that involves the possession, use or threatened use of a firearm, the
12 child must not be released before a detention hearing is held
13 pursuant to NRS 62C.040.

14 2. At the detention hearing, the juvenile court shall, if the child
15 was taken into custody for:

16 (a) Carrying or possessing a firearm while on the property of the
17 Nevada System of Higher Education, a private or public school or
18 child care facility, or while in a vehicle of a private or public school
19 or child care facility, order the child to:

20 (1) Be evaluated by a qualified professional; and

21 (2) Submit to a test to determine whether the child is using
22 any controlled substance.

23 (b) Committing an unlawful act involving a firearm other than
24 the act described in paragraph (a), determine whether to order the
25 child to be evaluated by a qualified professional.

26 3. If the juvenile court orders the child to be evaluated by a
27 qualified professional or to submit to a test to determine whether the
28 child is using any controlled substance, the evaluation or the results
29 from the test must be completed not later than 14 days after the
30 detention hearing. Until the evaluation or the test is completed, the
31 child must be:

32 (a) Detained at a facility for the detention of children; or

33 (b) Placed under a program of supervision in the home of the
34 child that may include electronic surveillance of the child.

35 4. If a child is evaluated by a qualified professional pursuant to
36 this section, the statements made by the child to the qualified
37 professional during the evaluation and any evidence directly or
38 indirectly derived from those statements may not be used for any
39 purpose in a proceeding which is conducted to prove that the child
40 committed a delinquent act or criminal offense. The provisions of
41 this subsection do not prohibit the district attorney from proving that
42 the child committed a delinquent act or criminal offense based upon



1 evidence obtained from sources or by means that are independent of
2 the statements made by the child to the qualified professional during
3 the evaluation.

4 5. As used in this section, “child care facility” has the meaning
5 ascribed to it in paragraph (a) of subsection ~~5~~ 6 of NRS 202.265.

6 **Sec. 3.** NRS 202.265 is hereby amended to read as follows:

7 202.265 1. Except as otherwise provided in this section, a
8 person shall not carry or possess while on the property of the
9 Nevada System of Higher Education, a private or public school or
10 child care facility, or while in a vehicle of a private or public school
11 or child care facility:

- 12 (a) An explosive or incendiary device;
- 13 (b) A dirk, dagger or switchblade knife;
- 14 (c) A nunchaku or trefoil;
- 15 (d) A blackjack or billy club or metal knuckles;
- 16 (e) A pistol, revolver or other firearm; or
- 17 (f) Any device used to mark any part of a person with paint or
18 any other substance.

19 2. Any person who violates subsection 1 is guilty of a gross
20 misdemeanor.

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

23 (a) ~~1A~~ *The Nevada System of Higher Education, a private or*
24 *public school or child care facility by a:*

- 25 (1) Peace officer;
- 26 (2) School security guard; or
- 27 (3) Person having written permission from the president of a
28 branch or facility of the Nevada System of Higher Education or the
29 principal of the school or the person designated by a child care
30 facility to give permission to carry or possess the weapon.

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

35 4. *This section does not prohibit the possession of a firearm*
36 *on the property of the Nevada System of Higher Education by a*
37 *person who is authorized to carry a concealed firearm pursuant to*
38 *the provisions of NRS 202.3653 to 202.369, inclusive, except*
39 *during any period in which the person attends an event specified*
40 *in subsection 4 of NRS 202.3673.*

41 5. The provisions of this section apply to a child care facility
42 located at or in the home of a natural person only during the normal
43 hours of business of the facility.

44 ~~5~~ 6. For the purposes of this section:



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

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

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

8 (d) "Switchblade knife" has the meaning ascribed to it in
9 NRS 202.350.

10 (e) "Trefoil" has the meaning ascribed to it in NRS 202.350.

11 (f) "Vehicle" has the meaning ascribed to "school bus" in
12 NRS 484A.230.

13 **Sec. 4.** NRS 202.3673 is hereby amended to read as follows:

14 202.3673 1. *Except as otherwise provided in subsection 4, a*
15 *permittee may carry a concealed firearm while the permittee is on*
16 *the property of the Nevada System of Higher Education or on the*
17 *premises of a public building that is located on the property of the*
18 *Nevada System of Higher Education.* Except as otherwise provided
19 in subsections 2 and 3, a permittee may carry a concealed firearm
20 while the permittee is on the premises of any public building.

21 2. A permittee shall not carry a concealed firearm while the
22 permittee is on the premises of a public building that is located on
23 the property of a public airport.

24 3. A permittee shall not carry a concealed firearm while the
25 permittee is on the premises of:

26 (a) A public building that is located on the property of a public
27 school or a child care facility , ~~for the property of the Nevada~~
28 ~~System of Higher Education,~~ unless the permittee has obtained
29 written permission *from the principal of the school or the person*
30 *designated by a child care facility to give permission* to carry a
31 concealed firearm while ~~he or she~~ *the permittee* is on the premises
32 of the public building pursuant to subparagraph (3) of paragraph (a)
33 of subsection 3 of NRS 202.265.

34 (b) A public building that has a metal detector at each public
35 entrance or a sign posted at each public entrance indicating that no
36 firearms are allowed in the building, unless ~~the~~ :

37 (1) *The public building is located on the property of the*
38 *Nevada System of Higher Education; or*

39 (2) *The permittee is not prohibited from carrying a concealed*
40 *firearm while he or she is on the premises of the public building*
41 *pursuant to subsection ~~4~~ 5.*

42 4. *A permittee shall not carry a concealed firearm while the*
43 *permittee is attending any event held on the premises of a stadium,*
44 *arena, field house or other athletic facility with a seating capacity*



1 *of 1,000 or more that is located on the property of the Nevada*
2 *System of Higher Education.*

3 5. The provisions of paragraph (b) of subsection 3 do not
4 prohibit:

5 (a) A permittee who is a judge from carrying a concealed
6 firearm in the courthouse or courtroom in which the judge presides
7 or from authorizing a permittee to carry a concealed firearm while in
8 the courtroom of the judge and while traveling to and from the
9 courtroom of the judge.

10 (b) A permittee who is a prosecuting attorney of an agency or
11 political subdivision of the United States or of this State from
12 carrying a concealed firearm while he or she is on the premises of a
13 public building.

14 (c) A permittee who is employed in the public building from
15 carrying a concealed firearm while he or she is on the premises of
16 the public building.

17 (d) A permittee from carrying a concealed firearm while he or
18 she is on the premises of the public building if the permittee has
19 received written permission from the person in control of the public
20 building to carry a concealed firearm while the permittee is on the
21 premises of the public building.

22 ~~151~~ 6. A person who violates subsection 2 or 3 is guilty of a
23 misdemeanor.

24 ~~161~~ 7. As used in this section:

25 (a) "Child care facility" has the meaning ascribed to it in
26 paragraph (a) of subsection ~~151~~ 6 of NRS 202.265.

27 (b) "Public building" means any building or office space
28 occupied by:

29 (1) Any component of the Nevada System of Higher
30 Education and used for any purpose related to the System; or

31 (2) The Federal Government, the State of Nevada or any
32 county, city, school district or other political subdivision of the State
33 of Nevada and used for any public purpose.

34 ➤ If only part of the building is occupied by an entity described in
35 this subsection, the term means only that portion of the building
36 which is so occupied.

37 **Sec. 5.** Chapter 396 of NRS is hereby amended by adding
38 thereto a new section to read as follows:

39 *The Police Department for the System may, within the limits of*
40 *available money, provide to persons who are authorized to carry*
41 *concealed firearms pursuant to the provisions of NRS 202.3653 to*
42 *202.369, inclusive, information concerning instructors and*
43 *organizations that offer courses in firearm safety which focus on*
44 *issues relating to firearm safety in an educational environment.*



1 **Sec. 6.** NRS 396.110 is hereby amended to read as follows:
2 396.110 1. The Board of Regents may prescribe rules for:

- 3 (a) Its own government; and
4 (b) The government of the System.

5 2. The Board of Regents shall prescribe rules for the granting
6 of permission to carry or possess a weapon pursuant to NRS
7 202.265. *The rules prescribed by the Board of Regents pursuant to*
8 *this subsection:*

9 (a) *Must allow a person to carry a concealed firearm if the*
10 *person is authorized to carry a concealed firearm pursuant to the*
11 *provisions of NRS 202.3653 to 202.369, inclusive.*

12 (b) *Must not require a person who is authorized to carry a*
13 *concealed firearm pursuant to the provisions of NRS 202.3653 to*
14 *202.369, inclusive, to obtain permission to carry a concealed*
15 *firearm.*

16 (c) *Except as otherwise provided in paragraphs (a) and (b),*
17 *must provide for the storage of firearms in dormitories,*
18 *apartments and other facilities for housing that are located on the*
19 *property of the System.*

20 (d) *Must include provisions concerning the carrying of a*
21 *concealed firearm in a parking area that is located on the property*
22 *of the System during any period in which the parking area is used*
23 *or available for use by persons attending an event described in*
24 *subsection 4 of NRS 202.3673, or on any other property of the*
25 *System which is set aside for, or otherwise used or available for*
26 *use by, persons to park or gather before attending an event*
27 *described in subsection 4 of NRS 202.3673.*

28 *↪ Any rules prescribed by the Board of Regents before, on or*
29 *after July 1, 2015, that are inconsistent with the provisions of this*
30 *subsection are void.*

31 **Sec. 7.** This act becomes effective on July 1, 2015.



