



NV REVISED STATUTES  
Firearms & Ammunition Summary  
(may not be current nor complete)  
from: Nevada Law Library  
AUGUST 2016

Notes: **Green: firearms & ammunition**  
**Red: references**

### **Nevada Constitution:**

#### **Sec. 11. Right to keep and bear arms; civil power supreme.**

1. Every citizen has the right to keep and bear **arms** for security and defense, for lawful hunting and recreational use and for other lawful purposes.

2. The military shall be subordinate to the civil power; No standing army shall be maintained by this State in time of peace, and in time of War, no appropriation for a standing army shall be for a longer time than two years.

[Amended in 1982. Proposed and passed by the 1979 legislature; agreed to and passed by the 1981 legislature; and approved and ratified by the people at the 1982 general election. See: Statutes of Nevada 1979, p. 1986; Statutes of Nevada 1981, p. 2083.]

#### **NRS 12.107 Limitation on commencement of lawsuit against manufacturer or distributor of firearm or ammunition or trade association related to firearms or ammunition; exception for breach of contract or warranty.**

1. Except as otherwise provided in subsection 2, the State of Nevada is the only governmental entity in this state that may commence a lawsuit against a manufacturer or distributor of a **firearm or ammunition** or a trade association related **to firearms or ammunition** for damages, abatement or injunctive relief resulting from or relating to the lawful design or manufacture of a **firearm or ammunition or the marketing or sale of a firearm or ammunition to the public**.

2. The provisions of this section do not prohibit a county, city, local government or other political subdivision of this state or an agency thereof from commencing a lawsuit against a manufacturer or distributor of a **firearm or ammunition for breach of contract or warranty concerning a firearm or ammunition** purchased by the county, city, local government or other political subdivision of this state or agency thereof.

(Added to NRS by [1999, 1411](#))

#### **NRS 21.090 Property exempt from execution.**

1. The following property is exempt from execution, except as otherwise specifically provided in this section or required by federal law:

(a) Private libraries, works of art, musical instruments and jewelry not to exceed \$5,000 in value, belonging to the judgment debtor or a dependent of the judgment debtor, to be selected by the judgment debtor, and all family pictures and keepsakes.

(b) Necessary household goods, furnishings, electronics, wearing apparel, other personal effects and yard equipment, not to exceed \$12,000 in value, belonging to the judgment debtor or a dependent of the judgment debtor, to be selected by the judgment debtor.

(c) Farm trucks, farm stock, farm tools, farm equipment, supplies and seed not to exceed \$4,500 in value, belonging to the judgment debtor to be selected by the judgment debtor.

(d) Professional libraries, equipment, supplies, and the tools, inventory, instruments and materials used to carry on the trade or business of the judgment debtor for the support of the judgment debtor and his or her family not to exceed \$10,000 in value.

(e) The cabin or dwelling of a miner or prospector, the miner's or prospector's cars, implements and appliances necessary for carrying on any mining operations and the mining claim actually worked by the miner or prospector, not exceeding \$4,500 in total value.

(f) Except as otherwise provided in paragraph (p), one vehicle if the judgment debtor's equity does not exceed \$15,000 or the creditor is paid an amount equal to any excess above that equity.

(g) For any workweek, 75 percent of the disposable earnings of a judgment debtor during that week, or 50 times the minimum hourly wage prescribed by section 6(a)(1) of the federal Fair Labor Standards Act of 1938, 29 U.S.C. § 206(a)(1), and in effect at the time the earnings are payable, whichever is greater. Except as otherwise provided in paragraphs (o), (s) and (t), the exemption provided in this paragraph does not apply in the case of any order of a court of competent jurisdiction for the support of any person, any order of a court of bankruptcy or of any debt due for any state or federal tax. As used in this paragraph:

(1) "Disposable earnings" means that part of the earnings of a judgment debtor remaining after the deduction from those earnings of any amounts required by law to be withheld.

(2) "Earnings" means compensation paid or payable for personal services performed by a judgment debtor in the regular course of business, including, without limitation, compensation designated as income, wages, tips, a salary, a commission or a bonus. The term includes compensation received by a judgment debtor that is in the possession of the judgment debtor, compensation held in accounts maintained in a bank or any other financial institution or, in the case of a receivable, compensation that is due the judgment debtor.

(h) All fire engines, hooks and ladders, with the carts, trucks and carriages, hose, buckets, implements and apparatus thereunto appertaining, and all furniture and uniforms of any fire company or department organized under the laws of this State.

**(i) All arms, uniforms and accouterments required by law to be kept by any person, and also one gun, to be selected by the debtor.**

(j) All courthouses, jails, public offices and buildings, lots, grounds and personal property, the fixtures, furniture, books, papers and appurtenances belonging and pertaining to the courthouse, jail and public offices belonging to any county of this State, all cemeteries, public squares, parks and places, public buildings, town halls, markets, buildings for the use of fire departments and military organizations, and the lots and grounds thereto belonging and appertaining, owned or held by any town or incorporated city, or dedicated by the town or city to health, ornament or public use, or for the use of any fire or military company organized under the laws of this State and all lots, buildings and other school property owned by a school district and devoted to public school purposes.

(k) All money, benefits, privileges or immunities accruing or in any manner growing out of any life insurance.

(l) The homestead as provided for by law, including a homestead for which allodial title has been established and not relinquished and for which a waiver executed pursuant to [NRS 115.010](#) is not applicable.

(m) The dwelling of the judgment debtor occupied as a home for himself or herself and family, where the amount of equity held by the judgment debtor in the home does not exceed \$550,000 in value and the dwelling is situated upon lands not owned by the judgment debtor.

(n) All money reasonably deposited with a landlord by the judgment debtor to secure an agreement to rent or lease a dwelling that is used by the judgment debtor as his or her primary residence, except that such money is not exempt with respect to a landlord or the landlord's successor in interest who seeks to enforce the terms of the agreement to rent or lease the dwelling.

(o) All property in this State of the judgment debtor where the judgment is in favor of any state for failure to pay that state's income tax on benefits received from a pension or other retirement plan.

(p) Any vehicle owned by the judgment debtor for use by the judgment debtor or the judgment debtor's dependent that is equipped or modified to provide mobility for a person with a permanent disability.

(q) Any prosthesis or equipment prescribed by a physician or dentist for the judgment debtor or a dependent of the debtor.

(r) Money, not to exceed \$500,000 in present value, held in:

(1) An individual retirement arrangement which conforms with the applicable limitations and requirements of section 408 or 408A of the Internal Revenue Code, 26 U.S.C. §§ 408 and 408A;

(2) A written simplified employee pension plan which conforms with the applicable limitations and requirements of section 408 of the Internal Revenue Code, 26 U.S.C. § 408;

(3) A cash or deferred arrangement which is a qualified plan pursuant to the Internal Revenue Code;

(4) A trust forming part of a stock bonus, pension or profit-sharing plan which is a qualified plan pursuant to sections 401 et seq. of the Internal Revenue Code, 26 U.S.C. §§ 401 et seq.; and

(5) A trust forming part of a qualified tuition program pursuant to [chapter 353B](#) of NRS, any applicable regulations adopted pursuant to [chapter 353B](#) of NRS and section 529 of the Internal Revenue Code, 26 U.S.C. §

529, unless the money is deposited after the entry of a judgment against the purchaser or account owner or the money will not be used by any beneficiary to attend a college or university.

(s) All money and other benefits paid pursuant to the order of a court of competent jurisdiction for the support, education and maintenance of a child, whether collected by the judgment debtor or the State.

(t) All money and other benefits paid pursuant to the order of a court of competent jurisdiction for the support and maintenance of a former spouse, including the amount of any arrearages in the payment of such support and maintenance to which the former spouse may be entitled.

(u) Payments, in an amount not to exceed \$16,150, received as compensation for personal injury, not including compensation for pain and suffering or actual pecuniary loss, by the judgment debtor or by a person upon whom the judgment debtor is dependent at the time the payment is received.

(v) Payments received as compensation for the wrongful death of a person upon whom the judgment debtor was dependent at the time of the wrongful death, to the extent reasonably necessary for the support of the judgment debtor and any dependent of the judgment debtor.

(w) Payments received as compensation for the loss of future earnings of the judgment debtor or of a person upon whom the judgment debtor is dependent at the time the payment is received, to the extent reasonably necessary for the support of the judgment debtor and any dependent of the judgment debtor.

(x) Payments received as restitution for a criminal act.

(y) Payments received pursuant to the federal Social Security Act, including, without limitation, retirement and survivors' benefits, supplemental security income benefits and disability insurance benefits.

(z) Any personal property not otherwise exempt from execution pursuant to this subsection belonging to the judgment debtor, including, without limitation, the judgment debtor's equity in any property, money, stocks, bonds or other funds on deposit with a financial institution, not to exceed \$1,000 in total value, to be selected by the judgment debtor.

(aa) Any tax refund received by the judgment debtor that is derived from the earned income credit described in section 32 of the Internal Revenue Code, 26 U.S.C. § 32, or a similar credit provided pursuant to a state law.

(bb) Stock of a corporation described in subsection 2 of [NRS 78.746](#) except as set forth in that section.

(cc) Regardless of whether a trust contains a spendthrift provision:

(1) A distribution interest in the trust as defined in [NRS 163.4155](#) that is a contingent interest, if the contingency has not been satisfied or removed;

(2) A distribution interest in the trust as defined in [NRS 163.4155](#) that is a discretionary interest as described in [NRS 163.4185](#), if the interest has not been distributed;

(3) A power of appointment in the trust as defined in [NRS 163.4157](#) regardless of whether the power has been exercised;

(4) A power listed in [NRS 163.5553](#) that is held by a trust protector as defined in [NRS 163.5547](#) or any other person regardless of whether the power has been exercised; and

(5) A reserved power in the trust as defined in [NRS 163.4165](#) regardless of whether the power has been exercised.

(dd) If a trust contains a spendthrift provision:

(1) A distribution interest in the trust as defined in [NRS 163.4155](#) that is a mandatory interest as described in [NRS 163.4185](#), if the interest has not been distributed; and

(2) Notwithstanding a beneficiary's right to enforce a support interest, a distribution interest in the trust as defined in [NRS 163.4155](#) that is a support interest as described in [NRS 163.4185](#), if the interest has not been distributed.

(ee) Proceeds received from a private disability insurance plan.

(ff) Money in a trust fund for funeral or burial services pursuant to [NRS 689.700](#).

(gg) Compensation that was payable or paid pursuant to [chapters 616A to 616D](#), inclusive, or chapter [617](#) of NRS as provided in [NRS 616C.205](#).

(hh) Unemployment compensation benefits received pursuant to [NRS 612.710](#).

(ii) Benefits or refunds payable or paid from the Public Employees' Retirement System pursuant to [NRS 286.670](#).

(jj) Money paid or rights existing for vocational rehabilitation pursuant to [NRS 615.270](#).

(kk) Public assistance provided through the Department of Health and Human Services pursuant to [NRS 422.291](#) and [422A.325](#).

(ll) Child welfare assistance provided pursuant to [NRS 432.036](#).

2. Except as otherwise provided in [NRS 115.010](#), no article or species of property mentioned in this section is exempt from execution issued upon a judgment to recover for its price, or upon a judgment of foreclosure of a mortgage or other lien thereon.

3. Any exemptions specified in subsection (d) of section 522 of the Bankruptcy Act of 1978, 11 U.S.C. § 522(d), do not apply to property owned by a resident of this State unless conferred also by subsection 1, as limited by subsection 2.

[1911 CPA § 346; A 1921, 22; 1941, 32; 1931 NCL § 8844] — (NRS A [1969, 841](#); [1971, 1498](#); [1973, 23](#); [1975, 215](#); [1977, 650](#); [1979, 985, 1637](#); [1981, 626](#); [1983, 99, 665](#); [1987, 1206](#); [1989, 4, 176, 645](#); [1991, 812, 1414](#); [1993, 2629](#); [1995, 229](#); [1997, 267, 3414](#); [2003, 1012, 1814](#); [2005, 385, 974, 1015, 2230](#); [2007, 2710, 3018](#); [2009, 807](#); [2011, 1409, 1895, 3567](#); [2013, 1312](#))

**NRS 33.017 Definitions.** As used in [NRS 33.017](#) to [33.100](#), inclusive, unless the context otherwise requires:

1. “Extended order” means an extended order for protection against domestic violence.
2. “Temporary order” means a temporary order for protection against domestic violence.

(Added to NRS by [1985, 2283](#); A [1997, 1808](#); [1999, 1372](#); [2001, 2128](#); [2003, 1754](#); [2007, 1275](#); [2015, 1783](#))

### **NRS 33.018 Acts which constitute domestic violence.**

1. Domestic violence occurs when a person commits one of the following acts against or upon the person’s spouse or former spouse, any other person to whom the person is related by blood or marriage, any other person with whom the person is or was actually residing, any other person with whom the person has had or is having a dating relationship, any other person with whom the person has a child in common, the minor child of any of those persons, the person’s minor child or any other person who has been appointed the custodian or legal guardian for the person’s minor child:

- (a) A battery.
- (b) An assault.

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

- (d) A sexual assault.

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

- (1) Stalking.
- (2) Arson.
- (3) Trespassing.
- (4) Larceny.
- (5) Destruction of private property.
- (6) Carrying a concealed weapon without a permit.
- (7) Injuring or killing an animal.

- (f) A false imprisonment.

(g) Unlawful entry of the other person’s residence, or forcible entry against the other person’s will if there is a reasonably foreseeable risk of harm to the other person from the entry.

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

(Added to NRS by [1985, 2283](#); A [1995, 902](#); [1997, 1808](#); [2007, 82, 1275](#))

### **NRS 33.031 Extended order may prohibit possession of firearm by adverse party; factors for court to consider in determining whether to prohibit possession of firearm; exception; penalty.**

1. A court may include in an extended order issued pursuant to [NRS 33.030](#):

(a) A requirement that the adverse party surrender, **sell or transfer any firearm** in the adverse party's possession or under the adverse party's custody or control in the manner set forth in [NRS 33.033](#); and

(b) A prohibition on the adverse party against possessing or having under the adverse party's custody or control **any firearm** while the order is in effect.

2. In determining whether to include the provisions set forth in subsection 1 in an extended order, the court must consider, without limitation, whether the adverse party:

(a) Has a documented history of domestic violence;

(b) Has used or threatened to use **a firearm** to injure or harass the applicant, a minor child or any other person; and

(c) Has used a **firearm** in the commission or attempted commission of any crime.

3. If a court includes the provisions set forth in subsection 1 in an extended order, the court may include a limited exception from the prohibition to possess or have under the adverse party's custody or control **any firearm** if the adverse party establishes that:

(a) The adverse party is employed by an employer who requires the adverse party **to use or possess a firearm** as an integral part of the adverse party's employment; and

(b) The employer will provide for the storage of **any such firearm** during any period when the adverse party is not working.

4. An adverse party who violates any provision included in an extended order pursuant to this section concerning the surrender, sale, transfer, possession, custody or control of a firearm is guilty of a gross misdemeanor. If the court includes any such provision in an extended order, the court must include in the order a statement that violation of such a provision in the order is a gross misdemeanor.

(Added to NRS by [2007, 1274](#))

### **NRS 33.033 Requirements for surrender, sale or transfer of firearm in possession of adverse party; law enforcement agency may charge fee for collection and storage of firearm.**

1. If a court orders an adverse party to surrender **any firearm** pursuant to [NRS 33.031](#), the adverse party shall, not later than 24 hours after service of the order:

(a) **Surrender any firearm** in the adverse party's possession or under the adverse party's custody or control to the appropriate local law enforcement agency designated by the court in the order;

(b) **Surrender any firearm** in the adverse party's possession or under the adverse party's custody or control to a person designated by the court in the order; or

(c) **Sell or transfer any firearm** in the adverse party's possession or under the adverse party's custody or control to a licensed firearm dealer.

2. If the court orders the adverse party to **surrender any firearm** to a local law enforcement agency pursuant to paragraph (a) of subsection 1, the law enforcement agency shall provide the adverse party with a receipt which includes a description of each firearm surrendered and the adverse party shall, not later than 72 hours or 1 business day, whichever is later, after surrendering any such firearm, provide the receipt to the court.

3. If the court orders the adverse party to **surrender any firearm** to a person designated by the court pursuant to paragraph (b) of subsection 1, the adverse party shall, not later than 72 hours or 1 business day, whichever is later, after the adverse party surrenders **any firearm** to such person, provide to the court and the appropriate local law enforcement agency the name and address of the person designated in the order and a written description of each firearm surrendered to such person.

4. If the adverse party sells or transfers **any firearm** to a licensed firearm dealer that is subject to an order pursuant to paragraph (c) of subsection 1, the adverse party shall, not later than 72 hours or 1 business day, whichever is later, after such sale or transfer, provide to the court and the appropriate local law enforcement agency a receipt of such sale or transfer and a written description of **each firearm** sold or transferred.

5. If there is probable cause to believe that the adverse party has not surrendered, sold or transferred any **firearm** in the adverse party's possession or under the adverse party's custody or control within 24 hours after service of the order, the court may issue and deliver to any law enforcement officer a search warrant which authorizes the law enforcement officer to enter and search any place where there is probable cause to believe any **firearm is located and seize the firearm**.

6. A local law enforcement agency may charge and collect a fee from the adverse party for the collection and **storage of a firearm pursuant** to this section. The fee must not exceed the cost incurred by the local law enforcement agency to provide the service.

(Added to NRS by 2007, 1274)

### **NRS 40.140 Nuisance defined; action for abatement and damages; exceptions.**

1. Except as otherwise provided in this section:

(a) Anything which is injurious to health, or indecent and offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property;

(b) A building or place used for the purpose of unlawfully selling, serving, storing, keeping, manufacturing, using or giving away a controlled substance, immediate precursor or controlled substance analog;

(c) A building or place which was used for the purpose of unlawfully manufacturing a controlled substance, immediate precursor or controlled substance analog and:

(1) Which has not been deemed safe for habitation by the board of health; or

(2) From which all materials or substances involving the controlled substance, immediate precursor or controlled substance analog have not been removed or remediated by an entity certified or licensed to do so within 180 days after the building or place is no longer used for the purpose of unlawfully manufacturing a controlled substance, immediate precursor or controlled substance analog; or

(d) A building or place regularly and continuously used by the members of a criminal gang to engage in, or facilitate the commission of, crimes by the criminal gang.

is a nuisance, and the subject of an action. The action may be brought by any person whose property is injuriously affected, or whose personal enjoyment is lessened by the nuisance, and by the judgment the nuisance may be enjoined or abated, as well as damages recovered.

2. It is presumed:

(a) That an agricultural activity conducted on farmland, consistent with good agricultural practice and established before surrounding nonagricultural activities is reasonable. Such activity does not constitute a nuisance unless the activity has a substantial adverse effect on the public health or safety.

(b) That an agricultural activity which does not violate a federal, state or local law, ordinance or regulation constitutes good agricultural practice.

**3. A shooting range does not constitute a nuisance with respect to any noise attributable to the shooting range if the shooting range is in compliance with the provisions of all applicable statutes, ordinances and regulations concerning noise:**

**(a) As those provisions existed on October 1, 1997, for a shooting range in operation on or before October 1, 1997; or**

**(b) As those provisions exist on the date that the shooting range begins operation, for a shooting range that begins operation after October 1, 1997.**

A shooting range is not subject to any state or local law related to the control of noise that is adopted or amended after the date set forth in paragraph (a) or (b), as applicable, and does not constitute a nuisance for failure to comply with any such law.

4. As used in this section:

(a) “Board of health” has the meaning ascribed to it in [NRS 439.4797](#).

(b) “Controlled substance analog” has the meaning ascribed to it in [NRS 453.043](#).

(c) “Criminal gang” has the meaning ascribed to it in [NRS 193.168](#).

(d) “Immediate precursor” has the meaning ascribed to it in [NRS 453.086](#).

(e) “Shooting range” means an area designed and used for archery or sport shooting, including, but not limited to, sport shooting that involves the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder or other similar items.

[1911 CPA § 562; RL § 5504; NCL § 9051]—(NRS A 1985, 873; [1997, 951, 1471, 1472](#); [2007, 3128](#); [2009, 825, 1309](#))

**NRS 41.0395 Person from whom firearm is unlawfully confiscated may commence action against State or political subdivision responsible for confiscation; court in which action may be commenced; court shall award attorney’s fees and costs.**

1. A person from whom a **firearm** is confiscated in violation of [NRS 414.155](#) may seek relief in a suit, action or other proceeding at law or in equity, including, without limitation, an action for the return of the **firearm**, against:
  - (a) The State of Nevada or a political subdivision thereof; and
  - (b) The officer or employee of the State or a political subdivision thereof or worker who confiscated or authorized the confiscation of the firearm.
2. The proceeding may be commenced in a court of competent jurisdiction in the county in which:
  - (a) The person bringing the proceeding resides; or
  - (b) The firearm may be found.
3. If a person who brings a proceeding pursuant to this section prevails, the court shall award the person, in addition to any other remedy provided by law, reasonable attorney’s fees and costs.
4. As used in this section:
  - (a) “**Firearm**” has the meaning ascribed to it in [NRS 414.0355](#).
  - (b) “**Worker**” has the meaning ascribed to it in [NRS 414.110](#).(Added to NRS by [2007, 359](#))

**NRS 41.095 Presumption that person using deadly force against intruder in person’s residence, transient lodging or motor vehicle has reasonable fear of death or bodily injury; person who uses deadly force is immune from civil liability under certain circumstances; definitions.**

1. For the purposes of [NRS 41.085](#) and [41.130](#), any person who uses:
  - (a) While lawfully in his or her residence, in transient lodging or in a motor vehicle that is not his or her residence, force which is intended or likely to cause death or bodily injury is presumed to have had a reasonable fear of imminent death or bodily injury to himself or herself or another person lawfully in the residence, transient lodging or motor vehicle if the force is used against a person who is committing burglary, invasion of the home or grand larceny of the motor vehicle with the use or threatened use of a **deadly weapon** and the person using the force knew or had reason to believe that burglary, invasion of the home or grand larceny of the motor vehicle with the use or threatened use of a **deadly weapon** was being committed. An action to recover damages for personal injuries to or the wrongful death of the person who committed burglary, invasion of the home or grand larceny of the motor vehicle with the use or threatened use of a **deadly weapon** may not be maintained against the person who used such force unless the presumption is overcome by clear and convincing evidence to the contrary.
  - (b) Force which is intended or likely to cause death or bodily injury is immune from civil liability in an action to recover damages for personal injuries to or the wrongful death of a person against whom such force was used if the use of such force was justified under the applicable provisions of [chapter 200](#) of NRS relating to the use of such force.
2. As used in this section:
  - (a) “**Deadly weapon**” has the meaning ascribed to it in [NRS 193.165](#).
  - (b) “**Motor vehicle**” means every vehicle which is self-propelled.
  - (c) “**Residence**” means any house, room, apartment, tenement or other building, vehicle, vehicle trailer, semitrailer, house trailer or boat designed or intended for occupancy as a residence.(Added to NRS by [1989, 1798](#); A [2015, 1784](#))

**NRS 41.131 Limitation on basis of liability of manufacturers and distributors of firearms and ammunition.**

1. No person has a cause of action against the manufacturer or distributor of any **firearm or ammunition** merely because the **firearm or ammunition** was capable of causing serious injury, damage or death, was discharged and proximately caused serious injury, damage or death. This subsection is declaratory and not in derogation of the common law.

2. This section does not affect a cause of action based upon a defect in design or production. The capability of a **firearm or ammunition** to cause serious injury, damage or death when discharged does not make the product defective in design.

(Added to NRS by 1985, 1469)

### **NRS 41.472 Imposition of liability for minor's negligence or willful misconduct regarding firearm.**

1. If a parent, guardian or other person legally responsible for a minor under the age of 18 years:

(a) Knows that the minor has previously been adjudicated delinquent or has been convicted of a criminal offense;

(b) Knows that the minor has a propensity to commit violent acts; or

(c) **Knows or has reason to know that the minor intends to use the firearm for unlawful purposes,**

**□ and permits the minor to use or possess a firearm,** any negligence or willful misconduct of the minor in connection with such use or possession is imputed to the person who permits such use or possession for all purposes of civil damages, and, notwithstanding the provisions of subsection 2 of [NRS 41.470](#), that person is jointly and severally liable with the minor for any and all damages caused by such negligence or willful misconduct.

**2. As used in this section, "firearm" has the meaning ascribed to it in [NRS 202.253](#).**

(Added to NRS by 1995, 1149)

### **NRS 49.213 Exceptions.** There is no privilege pursuant to [NRS 49.209](#) or [49.211](#):

1. For communications relevant to an issue in a proceeding to hospitalize the patient for mental illness, if the psychologist in the course of diagnosis or treatment has determined that the patient requires hospitalization.

2. For communications relevant to any determination made pursuant to [NRS 202.360](#).

3. For communications relevant to an issue of the treatment of the patient in any proceeding in which the treatment is an element of a claim or defense.

4. If disclosure is otherwise required by state or federal law.

5. For communications relevant to an issue in a proceeding to determine the validity of a will of the patient.

6. If there is an immediate threat that the patient will harm himself or herself or other persons.

7. For communications made in the course of a court-ordered examination of the condition of a patient with respect to the specific purpose of the examination unless the court orders otherwise.

8. For communications relevant to an issue in an investigation or hearing conducted by the Board of Psychological Examiners if the treatment of the patient is an element of that investigation or hearing.

9. For communications relevant to an issue in a proceeding relating to the abuse or neglect of a person with a disability or a person who is legally incompetent.

(Added to NRS by [1995, 2497](#); A [2015, 1804](#))

### **NRS 62B.330 Child alleged or adjudicated to have committed delinquent act; acts deemed not to be delinquent.**

1. Except as otherwise provided in this title, the juvenile court has exclusive original jurisdiction over a child living or found within the county who is alleged or adjudicated to have committed a delinquent act.

2. For the purposes of this section, a child commits a delinquent act if the child:

(a) Violates a county or municipal ordinance other than those specified in paragraph (f) or (g) of subsection 1 of [NRS 62B.320](#) or an offense related to tobacco;

(b) Violates any rule or regulation having the force of law; or

(c) Commits an act designated a criminal offense pursuant to the laws of the State of Nevada.

3. For the purposes of this section, each of the following acts shall be deemed not to be a delinquent act, and the juvenile court does not have jurisdiction over a person who is charged with committing such an act:

(a) Murder or attempted murder and any other related offense arising out of the same facts as the murder or attempted murder, regardless of the nature of the related offense, if the person was 16 years of age or older when the murder or attempted murder was committed.

(b) Sexual assault or attempted sexual assault involving the use or threatened use of force or violence against the victim and any other related offense arising out of the same facts as the sexual assault or attempted sexual assault, regardless of the nature of the related offense, if:

- (1) The person was 16 years of age or older when the sexual assault or attempted sexual assault was committed; and
  - (2) Before the sexual assault or attempted sexual assault was committed, the person previously had been adjudicated delinquent for an act that would have been a felony if committed by an adult.
  - (c) An offense or attempted offense involving the **use or threatened use of a firearm** and any other related offense arising out of the same facts as the offense or attempted offense involving the **use or threatened use of a firearm**, regardless of the nature of the related offense, if:
    - (1) The person was 16 years of age or older when the offense or attempted offense involving the **use or threatened use of a firearm** was committed; and
    - (2) Before the offense or attempted offense involving the **use or threatened use of a firearm** was committed, the person previously had been adjudicated delinquent for an act that would have been a felony if committed by an adult.
  - (d) A felony resulting in death or substantial bodily harm to the victim and any other related offense arising out of the same facts as the felony, regardless of the nature of the related offense, if:
    - (1) The felony was committed on the property of a public or private school when pupils or employees of the school were present or may have been present, at an activity sponsored by a public or private school or on a school bus while the bus was engaged in its official duties; and
    - (2) The person intended to create a great risk of death or substantial bodily harm to more than one person by means of a **weapon**, device or course of action that would normally be hazardous to the lives of more than one person.
  - (e) A category A or B felony and any other related offense arising out of the same facts as the category A or B felony, regardless of the nature of the related offense, if the person was at least 16 years of age but less than 18 years of age when the offense was committed, and:
    - (1) The person is not identified by law enforcement as having committed the offense and charged before the person is at least 20 years, 3 months of age, but less than 21 years of age; or
    - (2) The person is not identified by law enforcement as having committed the offense until the person reaches 21 years of age.
  - (f) Any other offense if, before the offense was committed, the person previously had been convicted of a criminal offense.
- (Added to NRS by [2003, 1029](#); A [2009, 50](#); [2013, 713, 1527, 2901](#))

### **NRS 62B.390 Certification of child for criminal proceedings as adult.**

1. Except as otherwise provided in subsection 2 and [NRS 62B.400](#), upon a motion by the district attorney and after a full investigation, the juvenile court may certify a child for proper criminal proceedings as an adult to any court that would have jurisdiction to try the offense if committed by an adult, if the child:
  - (a) Except as otherwise provided in paragraph (b), is charged with an offense that would have been a felony if committed by an adult and was 14 years of age or older at the time the child allegedly committed the offense; or
  - (b) Is charged with murder or attempted murder and was 13 years of age or older when the murder or attempted murder was committed.
2. Except as otherwise provided in subsection 3, upon a motion by the district attorney and after a full investigation, the juvenile court shall certify a child for proper criminal proceedings as an adult to any court that would have jurisdiction to try the offense if committed by an adult, if the child:
  - (a) Is charged with:
    - (1) A sexual assault involving the use or threatened use of force or violence against the victim; or
    - (2) An offense or attempted offense involving the **use or threatened use of a firearm**; and
  - (b) Was 16 years of age or older at the time the child allegedly committed the offense.
3. The juvenile court shall not certify a child for criminal proceedings as an adult pursuant to subsection 2 if the juvenile court specifically finds by clear and convincing evidence that:
  - (a) The child is developmentally or mentally incompetent to understand the situation and the proceedings of the court or to aid the child's attorney in those proceedings; or
  - (b) The child has substance abuse or emotional or behavioral problems and the substance abuse or emotional or behavioral problems may be appropriately treated through the jurisdiction of the juvenile court.

4. If a child is certified for criminal proceedings as an adult pursuant to subsection 1 or 2, the juvenile court shall also certify the child for criminal proceedings as an adult for any other related offense arising out of the same facts as the offense for which the child was certified, regardless of the nature of the related offense.

5. If a child has been certified for criminal proceedings as an adult pursuant to subsection 1 or 2 and the child's case has been transferred out of the juvenile court:

(a) The court to which the case has been transferred has original jurisdiction over the child;

(b) The child may petition for transfer of the case back to the juvenile court only upon a showing of exceptional circumstances; and

(c) If the child's case is transferred back to the juvenile court, the juvenile court shall determine whether the exceptional circumstances warrant accepting jurisdiction.

(Added to NRS by [2003, 1030](#); A [2003, 1511](#); [2009, 238](#); [2013, 2902](#))

### **NRS 62C.060 Custody and detention of child alleged to have committed offense involving firearm; conditions and limitations on release of child; test of child for use of controlled substances; evaluation of child by qualified professional; immunity for statements made during evaluation.**

1. If a child is taken into custody for an unlawful act that involves the **possession, use or threatened use of a firearm**, the child must not be released before a detention hearing is held pursuant to [NRS 62C.040](#).

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

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

(1) Be evaluated by a qualified professional; and

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

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

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

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

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

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

5. As used in this section, "child care facility" has the meaning ascribed to it in paragraph (a) of subsection 5 of [NRS 202.265](#).

(Added to NRS by [2003, 1057](#); A [2007, 1915](#); [2011, 599](#))

### **NRS 62E.650 Certain acts involving firearm: Community service; suspension or delay in issuance of driver's license.**

1. If a child is adjudicated delinquent because the **child handled or possessed a firearm or had a firearm under his or her control in violation of [NRS 202.300](#)**, the juvenile court shall:

(a) For the first offense:

(1) Order the child to perform 200 hours of community service; and

(2) Issue an order suspending the driver's license of the child for not more than 1 year or, if the child does not possess a driver's license, prohibit the child from receiving a driver's license for not more than 1 year:

- (I) Immediately following the date of the order, if the child is eligible to receive a driver's license.
  - (II) After the date the child becomes eligible to receive a driver's license, if the child is not eligible to receive a license on the date of the order.
  - (b) For the second offense:
    - (1) Order the child to perform at least 200 hours but not more than 600 hours of community service; and
    - (2) Issue an order suspending the driver's license of the child for at least 90 days but not more than 2 years or, if the child does not possess a driver's license, prohibit the child from receiving a driver's license for at least 90 days but not more than 2 years:
  - (I) Immediately following the date of the order, if the child is eligible to receive a driver's license.
  - (II) After the date the child becomes eligible to receive a driver's license, if the child is not eligible to receive a license on the date of the order.
  - 2. If the child is already the subject of a court order suspending or delaying the issuance of the driver's license of the child, the juvenile court shall order an additional suspension or delay, as appropriate, to apply consecutively with the previous order.
- (Added to NRS by [2003, 1075](#))

### **NRS 62E.660 Certain acts involving firearm: Revocation of and prohibition from receiving license to hunt.**

If a child is adjudicated delinquent because the child handled or possessed a firearm or had a firearm under his or her control in violation of [NRS 202.300](#), the juvenile court shall:

- 1. Order that any license to hunt issued to the child pursuant to [chapter 502](#) of NRS must be revoked by the Department of Wildlife;
- 2. Order that the child must not receive a license to hunt within the 2 years immediately following the date of the order or until the child is 18 years of age, whichever is later;
- 3. Order the child to surrender to the juvenile court any license to hunt then held by the child; and
- 4. Not later than 5 days after issuing the order, forward to the Department of Wildlife any license to hunt surrendered by the child and a copy of the order.

(Added to NRS by [2003, 1076](#); A [2003, 1558](#))

### **NRS 62E.670 Act involving use of firearm or use or threatened use of force or violence: Effect on disposition.**

- 1. In determining the appropriate disposition of a case of a delinquent child, the juvenile court shall consider whether the unlawful act committed by the child involved the [use of a firearm or the use or threatened use of force or violence](#) against the victim of the act.
- 2. If the juvenile court finds that the act committed by the child involved the [use of a firearm or the use or threatened use of force or violence](#) against the victim, the juvenile court shall include the finding in its order and may:
  - (a) Commit the child for confinement in a secure facility for the detention of children, including a facility which is secured by its staff.
  - (b) Impose any other punitive measures that the juvenile court determines to be in the best interests of the public or the child.

(Added to NRS by [2003, 1076](#))

### **NRS 62H.010 Fingerprinting or photographing of child who is in custody; conditions and limitations on use and retention of fingerprints and photographs; penalty.**

- 1. The fingerprints of a child must be taken if the child is in custody for an unlawful act that, if committed by an adult, would have been:
  - (a) A felony, gross misdemeanor or sexual offense; or
  - (b) A misdemeanor and the unlawful act involved:
    - (1) The use or threatened use of force or violence against the victim; or
    - (2) The [possession, use or threatened use of a firearm or a deadly weapon](#).

2. The fingerprints of a child who is in custody but who is not subject to the provisions of subsection 1 may be taken if a law enforcement officer finds latent fingerprints during the investigation of an offense and the officer has reason to believe that the latent fingerprints are those of the child. The officer shall use the fingerprints taken from the child to make an immediate comparison with the latent fingerprints. If the comparison is:

(a) Negative, the fingerprint card and other copies of the fingerprints taken may be immediately destroyed or may be retained for future use.

(b) Positive, the fingerprint card and other copies of the fingerprints:

(1) Must be delivered to the juvenile court for disposition if the child is referred to the juvenile court.

(2) May be immediately destroyed or may be retained for future use if the child is not referred to the juvenile court.

3. Fingerprints that are taken from a child pursuant to the provisions of this section:

(a) May be retained in a local file or a local system for the automatic retrieval of fingerprints if they are retained under special security measures that limit inspection of the fingerprints to law enforcement officers who are conducting criminal investigations. If the child from whom the fingerprints are taken subsequently is not adjudicated delinquent, the parent or guardian of the child or, when the child becomes at least 18 years of age, the child may petition the juvenile court for the removal of the fingerprints from any local file or local system.

(b) Must be submitted to the Central Repository if the child is adjudicated delinquent for an unlawful act that would have been a felony or a sexual offense if committed by an adult, and may be submitted to the Central Repository for any other act. Any such fingerprints submitted to the Central Repository must be submitted with a description of the child and the unlawful act, if any, that the child committed. The Central Repository shall retain the fingerprints and information of the child under special security measures that limit inspection of the fingerprints and the information to:

(1) Law enforcement officers who are conducting criminal investigations; and

(2) Officers and employees of the Central Repository who are assisting law enforcement officers with criminal investigations or who are conducting research or performing a statistical analysis.

(c) Must not be submitted to the Federal Bureau of Investigation unless the child is adjudicated delinquent for an unlawful act that would have been a felony or a sexual offense if committed by an adult.

4. A child who is in custody must be photographed for the purpose of identification. Except as otherwise provided in this subsection, the photographs of the child must be kept in the file pertaining to the child under special security measures which provide that the photographs may be inspected only to conduct criminal investigations and photographic lineups. If the juvenile court subsequently determines that the child is not delinquent, the juvenile court shall order the photographs to be destroyed.

5. Any person who willfully violates any provision of this section is guilty of a misdemeanor.

6. As used in this section, "sexual offense" means:

(a) Sexual assault pursuant to [NRS 200.366](#);

(b) Statutory sexual seduction pursuant to [NRS 200.368](#);

(c) Battery with intent to commit sexual assault pursuant to [NRS 200.400](#);

(d) An offense involving pornography and a minor pursuant to [NRS 200.710](#) to [200.730](#), inclusive;

(e) Incest pursuant to [NRS 201.180](#);

(f) Open or gross lewdness pursuant to [NRS 201.210](#);

(g) Indecent or obscene exposure pursuant to [NRS 201.220](#);

(h) Lewdness with a child pursuant to [NRS 201.230](#);

(i) Sexual penetration of a dead human body pursuant to [NRS 201.450](#);

(j) Luring a child or person with mental illness pursuant to [NRS 201.560](#), if punishable as a felony;

(k) An attempt to commit an offense listed in paragraphs (a) to (j), inclusive; or

(l) An offense that is determined to be sexually motivated pursuant to [NRS 175.547](#).

(Added to NRS by [2003, 1088](#); A [2003, 1379](#); [2013, 1157](#))

### **NRS 108.4744 "Protected property" defined.**

"Protected property" means personal property, the sale of which or prohibition against the sale of which is regulated by state or federal law. The term includes, without limitation:

1. Documents, film or electronic data that contain personal information, such as social security numbers, credit or debit card information, bank account information, passport information and medical or legal records relating to clients, customers, patients or others in connection with an occupant's business.

2. Pharmaceuticals other than those dispensed by a licensed pharmacy for use by an occupant.

3. Alcoholic beverages.

4. Firearms. (Added to NRS by [2011, 1824](#))

### **NRS 108.4763 Owner's remedies upon nonpayment of charges; notice of sale; limit on earliest time for sale; disposal of protected property.**

1. After the notice of the lien is mailed by the owner, if the occupant fails to pay the total amount due by the date specified in the notice, the owner may:

(a) Enter the storage space and remove the personal property within it to a safe place.

(b) Dispose of, **but may not sell, any protected property** contained in the storage space in accordance with the provisions of subsection 5 if the owner has actual knowledge of such protected property. If the owner disposes of the **protected property** in accordance with the provisions of subsection 5, the owner is not liable to the occupant or any other person who claims an interest in the **protected property**.

(c) If the personal property upon which the lien is claimed is a motor vehicle, boat or personal watercraft, and rent and other charges related to such property remain unpaid or unsatisfied for 60 days, have the property towed by any tow car operator subject to the jurisdiction of the Nevada Transportation Authority. If a motor vehicle, boat or personal watercraft is towed pursuant to this paragraph, the owner is not liable for any damages to such property once the tow car operator takes possession of the motor vehicle, boat or personal watercraft.

2. The owner shall send to the occupant a notice of a sale to satisfy the lien by verified mail or, if available, by electronic mail at the last known address of the occupant and at the alternative address provided by the occupant in the rental agreement at least 14 days before the sale. If the notice is sent by electronic mail and no confirmation of receipt is received, the owner shall also send such notice to the occupant by verified mail at the last known address of the occupant. The notice must contain:

(a) A statement that the occupant may no longer use the storage space and no longer has access to the occupant's personal property stored therein;

(b) A statement that the personal property of the occupant is subject to a lien and the amount of the lien;

(c) A statement that the personal property will be sold or disposed of to satisfy the lien on a date specified in the notice, unless the total amount of the lien is paid or the occupant executes and returns by verified mail, the declaration in opposition to the sale; and

(d) A statement of the provisions of subsection 3.

3. Proceeds of the sale over the amount of the lien and the costs of the sale must be retained by the owner and may be reclaimed by the occupant or the occupant's authorized representative at any time up to 1 year from the date of the sale.

4. The notice of the sale must also contain a blank copy of a declaration in opposition to the sale to be executed by the occupant if the occupant wishes to do so.

5. **The owner may dispose of protected property** contained in the storage space by taking the following actions, in the following order of priority, until the protected property is disposed of:

(a) Contacting the occupant and **returning the protected property** to the occupant.

(b) Contacting the secondary contact listed by the occupant in the rental agreement and returning the **protected property** to the secondary contact.

(c) Contacting any appropriate state or federal authorities, including, without limitation, any appropriate governmental agency, board or commission listed by the occupant in the rental agreement pursuant to [NRS 108.4755](#), ascertaining whether such authorities **will accept the protected property** and, if such authorities will accept the **protected property**, ensuring that the **protected property** is delivered to such authorities.

(d) Destroying the **protected property** in an appropriate manner which is authorized by law and which ensures that any confidential information contained in the protected property is completely obliterated and may not be examined or accessed by the public.

(Added to NRS by [1983, 1667](#); A [1985, 239](#); [2011, 1827](#); [2013, 1257](#))

### **NRS 159.0593 Determination of whether proposed ward is prohibited from possessing firearm under federal law.**

1. If the court orders a general guardian appointed for a proposed ward, the court shall determine, by clear and convincing evidence, whether the proposed ward is a person with a mental defect who is **prohibited from possessing a firearm** pursuant to **18 U.S.C. § 922(d)(4) or (g)(4)**. If a court makes a finding pursuant to this section that the proposed ward is a person with a mental defect, the court shall include the finding in the order appointing

the guardian and cause, within 5 business days after issuing the order, a record of the order to be transmitted to the **Central Repository for Nevada Records of Criminal History**, along with a statement indicating that the record is being transmitted for inclusion in each appropriate database of the **National Instant Criminal Background Check System**.

2. As used in this section:

(a) “National Instant Criminal Background Check System” has the meaning ascribed to it in [NRS 179A.062](#).

(b) “Person with a mental defect” means a person who, as a result of marked subnormal intelligence, mental illness, incompetence, condition or disease, is:

(1) A danger to himself or herself or others; or

(2) Lacks the capacity to contract or manage his or her own affairs.

(Added to NRS by [2009, 2490](#); A [2015, 1805](#))

### **NRS 171.123 Temporary detention by peace officer of person suspected of criminal behavior or of violating conditions of parole or probation: Limitations.**

1. Any peace officer may detain any person whom the officer encounters under circumstances which reasonably indicate that the person has committed, is committing or is about to commit a crime.

2. Any peace officer may detain any person the officer encounters under circumstances which reasonably indicate that the person has violated or is violating the conditions of the person’s parole or probation.

3. The officer may detain the person pursuant to this section only to ascertain the person’s identity and the suspicious circumstances surrounding the person’s presence abroad. Any person so detained shall identify himself or herself, but may not be compelled to answer any other inquiry of any peace officer.

4. A person must not be detained longer than is reasonably necessary to effect the purposes of this section, and in no event longer than 60 minutes. The detention must not extend beyond the place or the immediate vicinity of the place where the detention was first effected, unless the person is arrested.

(Added to NRS by 1969, 535; A 1973, 597; 1975, 1200; 1987, 1172; 1995, 2068)

### **NRS 171.1232 Search to ascertain presence of dangerous weapon; seizure of weapon or evidence.**

1. If any peace officer reasonably believes that any person whom the peace officer has detained or is about to detain pursuant to [NRS 171.123](#) is **armed with a dangerous weapon and is a threat to the safety of the peace officer or another, the peace officer may search such person to the extent reasonably necessary to ascertain the presence of such weapon. If the search discloses a weapon or any evidence of a crime, such weapon or evidence may be seized.**

2. Nothing seized by a peace officer in any such search is admissible in any proceeding unless the search which disclosed the existence of such evidence is authorized by and conducted in compliance with this section.

(Added to NRS by 1969, 535)

### **NRS 171.146 Weapon may be taken from person arrested.**

Any person making an arrest may take from the person arrested all **dangerous and offensive weapons** which the person arrested may have about his or her person.

(Added to NRS by 1967, 1402)

### **NRS 175.539 Acquittal by reason of insanity: Defendant to be examined; hearing to be held to determine whether defendant is mentally ill; procedure for committing defendant to custody of Division of Mental Health and Developmental Services.**

1. Where on a trial a defense of insanity is interposed by the defendant and the defendant is acquitted by reason of that defense, the finding of the jury pending the judicial determination pursuant to subsection 2 has the same effect as if the defendant were regularly adjudged insane, and the judge must:

(a) Order a peace officer to take the person into protective custody and transport the person to a forensic facility for detention pending a hearing to determine the person’s mental health;

(b) Order the examination of the person by two psychiatrists, two psychologists, or one psychiatrist and one psychologist who are employed by a division facility; and

(c) At a hearing in open court, receive the report of the examining advisers and allow counsel for the State and for the person to examine the advisers, introduce other evidence and cross-examine witnesses.

2. If the court finds, after the hearing:

(a) That there is not clear and convincing evidence that the person is a person with mental illness, the court must order the person's discharge; or

(b) That there is clear and convincing evidence that the person is a person with mental illness, the court must order that the person be committed to the custody of the Administrator of the Division of Public and Behavioral Health of the Department of Health and Human Services until the person is discharged or conditionally released therefrom in accordance with [NRS 178.467](#) to [178.471](#), inclusive.

□ The court shall issue its finding within 90 days after the defendant is acquitted.

3. The Administrator shall make the reports and the court shall proceed in the manner provided in [NRS 178.467](#) to [178.471](#), inclusive.

4. If the court accepts a verdict acquitting a defendant by reason of insanity pursuant to this section, the court shall cause, within 5 business days after accepting the verdict, on a form prescribed by the Department of Public Safety, a record of that verdict to be transmitted to the **Central Repository for Nevada Records of Criminal History**, along with a statement indicating that the record is being transmitted for inclusion in each appropriate database of the **National Instant Criminal Background Check System**.

5. As used in this section, unless the context otherwise requires:

(a) "Division facility" has the meaning ascribed to it in [NRS 433.094](#).

(b) "Forensic facility" means a secure facility of the Division of Public and Behavioral Health of the Department of Health and Human Services for offenders and defendants with mental disorders. The term includes, without limitation, Lakes Crossing Center.

(c) "**National Instant Criminal Background Check System**" has the meaning ascribed to it in [NRS 179A.062](#).

(d) "Person with mental illness" has the meaning ascribed to it in [NRS 178.3986](#).

(Added to NRS by [2003, 1459](#); A [2007, 1411](#); [2009, 2486](#); [2015, 1797](#))

### **NRS 176.337 Court to notify defendant convicted of domestic violence concerning possession, shipment, transportation or receipt of firearm or ammunition.**

If a defendant is convicted of a misdemeanor or felony that constitutes domestic violence pursuant to [NRS 33.018](#), the court shall notify the defendant that possession, shipment, transportation or receipt of a **firearm or ammunition** by the defendant may constitute a felony pursuant to [NRS 202.360](#) or federal law. (Added to NRS by [2007, 95](#))

### **NRS 176A.400 Imposition by court; alternative programs or treatment; prohibition on suspending term of imprisonment; placement under supervision of Chief Parole and Probation Officer.**

1. In issuing an order granting probation, the court may fix the terms and conditions thereof, including, without limitation:

(a) A requirement for restitution;

(b) **An order that the probationer dispose of all the weapons the probationer possesses; or**

(c) Any reasonable conditions to protect the health, safety or welfare of the community or to ensure that the probationer will appear at all times and places ordered by the court, including, without limitation:

(1) Requiring the probationer to remain in this State or a certain county within this State;

(2) Prohibiting the probationer from contacting or attempting to contact a specific person or from causing or attempting to cause another person to contact that person on the probationer's behalf;

(3) Prohibiting the probationer from entering a certain geographic area; or

(4) Prohibiting the probationer from engaging in specific conduct that may be harmful to the probationer's own health, safety or welfare, or the health, safety or welfare of another person.

2. In issuing an order granting probation to a person who is found guilty of a category C, D or E felony, the court may require the person as a condition of probation to participate in and complete to the satisfaction of the court any alternative program, treatment or activity deemed appropriate by the court.

3. The court shall not suspend the execution of a sentence of imprisonment after the defendant has begun to serve it.

4. In placing any defendant on probation or in granting a defendant a suspended sentence, the court shall direct that the defendant be placed under the supervision of the Chief Parole and Probation Officer.  
(Added to NRS by 1991, 2043; A 1995, 1250; [1997, 3357](#))

### **NRS 178.425 Procedure on finding defendant incompetent.**

1. If the court finds the defendant incompetent, and dangerous to himself or herself or to society and that commitment is required for a determination of the defendant's ability to receive treatment to competency and to attain competence, the judge shall order the sheriff to convey the defendant forthwith, together with a copy of the complaint, the commitment and the physicians' certificate, if any, into the custody of the Administrator or the Administrator's designee for detention and treatment at a division facility that is secure. The order may include the involuntary administration of medication if appropriate for treatment to competency.

2. The defendant must be held in such custody until a court orders the defendant's release or until the defendant is returned for trial or judgment as provided in [NRS 178.450](#), [178.455](#) and [178.460](#).

3. If the court finds the defendant incompetent but not dangerous to himself or herself or to society, and finds that commitment is not required for a determination of the defendant's ability to receive treatment to competency and to attain competence, the judge shall order the defendant to report to the Administrator or the Administrator's designee as an outpatient for treatment, if it might be beneficial, and for a determination of the defendant's ability to receive treatment to competency and to attain competence. The court may require the defendant to give bail for any periodic appearances before the Administrator or the Administrator's designee.

4. Except as otherwise provided in subsection 5, proceedings against the defendant must be suspended until the Administrator or the Administrator's designee or, if the defendant is charged with a misdemeanor, the judge finds the defendant capable of standing trial or opposing pronouncement of judgment as provided in [NRS 178.400](#).

5. Whenever the defendant has been found incompetent, with no substantial probability of attaining competency in the foreseeable future, and released from custody or from obligations as an outpatient pursuant to paragraph (d) of subsection 4 of [NRS 178.460](#), the proceedings against the defendant which were suspended must be dismissed. No new charge arising out of the same circumstances may be brought after a period, equal to the maximum time allowed by law for commencing a criminal action for the crime with which the defendant was charged, has lapsed since the date of the alleged offense.

6. If a defendant is found incompetent pursuant to this section, the court shall cause, within 5 business days after the finding, on a form prescribed by the Department of Public Safety, a record of that finding to be transmitted to the **Central Repository for Nevada Records of Criminal History**, along with a statement indicating that the record is being transmitted for inclusion in each appropriate database of the **National Instant Criminal Background Check System**.

7. As used in this section, "**National Instant Criminal Background Check System**" has the meaning ascribed to it in [NRS 179A.062](#).

[1911 Cr. Prac. § 540; RL § 7390; NCL § 11188] — (NRS A [1967, 1450](#); [1968, 52](#); [1971, 313](#); [1973, 93, 252, 1406](#); [1981, 1656](#); [1991, 1003](#); [1999, 104](#); [2001, 1084](#); [2003, 1947](#); [2009, 2487](#); [2015, 1798](#))

### **NRS 179A.045 "Central Repository" defined.**

"Central Repository" means the Central Repository for Nevada Records of Criminal History.

(Added to NRS by [1985, 912](#))

### **NRS 179A.061 "National Crime Information Center" defined.**

"National Crime Information Center" means the computerized information system created and maintained by the Federal Bureau of Investigation pursuant to **28 U.S.C. § 534**.

(Added to NRS by [2015, 1799](#))

### **NRS 179A.062 "National Instant Criminal Background Check System" defined.**

"National Instant Criminal Background Check System" means the national system created by the federal Brady Handgun Violence Prevention Act, **Public Law 103-159**.

(Added to NRS by [2009, 2488](#))

**NRS 179A.163 Transmittal of mental health information to National Instant Criminal Background Check System; person who is subject of record may petition; removal of information; action to compel.**

1. Upon receiving a record transmitted pursuant to [NRS 159.0593](#), [174.035](#), [175.533](#), [175.539](#), [178.425](#) or [433A.310](#), the Central Repository:

(a) Shall take reasonable steps to ensure that the information reported in the record is included in each appropriate database of the **National Instant Criminal Background Check System**; and

(b) May take reasonable steps to ensure that the information reported in the record is included in each appropriate database of the **National Crime Information Center**.

2. Except as otherwise provided in subsection 3, if the Central Repository receives a record described in subsection 1, the person who is the subject of the record may petition the court for an order declaring that:

(a) The basis for the adjudication reported in the record no longer exists;

(b) The adjudication reported in the record is deemed not to have occurred for purposes of **18 U.S.C. § 922(d)(4) and (g)(4) and NRS 202.360**; and

(c) The information reported in the record must be removed from the **National Instant Criminal Background Check System** and the **National Crime Information Center**.

3. To the extent authorized by federal law, if the record concerning the petitioner was transmitted to the Central Repository pursuant to [NRS 159.0593](#), [174.035](#), [175.533](#), [175.539](#), [178.425](#) or [433A.310](#), the petitioner may not file a petition pursuant to subsection 2 until 3 years after the date of the order transmitting the record to the Central Repository.

4. A petition filed pursuant to subsection 2 must be:

(a) Filed in the court which made the adjudication or finding pursuant to [NRS 159.0593](#), [174.035](#), [175.533](#), [175.539](#), [178.425](#) or [433A.310](#); and

(b) Served upon the district attorney for the county in which the court described in paragraph (a) is located.

5. The Nevada Rules of Civil Procedure govern all proceedings concerning a petition filed pursuant to subsection 2.

6. The court shall grant the petition and issue the order described in subsection 2 if the court finds that the petitioner has established that:

(a) The basis for the adjudication or finding made pursuant to [NRS 159.0593](#), [174.035](#), [175.533](#), [175.539](#), [178.425](#) or [433A.310](#) concerning the petitioner no longer exists;

(b) The petitioner's record and reputation indicate that the petitioner is not likely to act in a manner dangerous to public safety; and

(c) Granting the relief requested by the petitioner pursuant to subsection 2 is not contrary to the public interest.

7. Except as otherwise provided in this subsection, the petitioner must establish the provisions of subsection 6 by a preponderance of the evidence. If the adjudication or finding concerning the petitioner was made pursuant to [NRS 159.0593](#) or [433A.310](#), the petitioner must establish the provisions of subsection 6 by clear and convincing evidence.

8. The court, upon entering an order pursuant to this section, shall cause, on a form prescribed by the Department of Public Safety, a record of the order to be transmitted to the Central Repository.

9. Within 5 business days after receiving a record of an order transmitted pursuant to subsection 8, the Central Repository shall take reasonable steps to ensure that information concerning the adjudication or finding made pursuant to [NRS 159.0593](#), [174.035](#), [175.533](#), [175.539](#), [178.425](#) or [433A.310](#) is removed from the **National Instant Criminal Background Check System** and the **National Crime Information Center**, if applicable.

10. If the Central Repository fails to remove a record as provided in subsection 9, the petitioner may bring an action to compel the removal of the record. If the petitioner prevails in the action, the court may award the petitioner reasonable attorney's fees and costs incurred in bringing the action.

11. If a petition brought pursuant to subsection 2 is denied, the person who is the subject of the record may petition for a rehearing not sooner than 2 years after the date of the denial of the petition.

(Added to NRS by [2009, 2488](#); A [2015, 1802](#))

**NRS 179.1165 Seizure of property: Requirement of process.**

1. Except as provided in subsection 2, **property** that is subject to forfeiture may only be seized by a law enforcement agency upon process issued by a magistrate having jurisdiction over the property.

2. A seizure of **property** may be made by a law enforcement agency without process if:

(a) The seizure is incident to:

- (1) An arrest;
  - (2) A search pursuant to a search warrant; or
  - (3) An inspection pursuant to a warrant for an administrative inspection;
  - (b) The property is the subject of a final judgment in a proceeding for forfeiture;
  - (c) The law enforcement agency has probable cause to believe that the **property** is directly or indirectly dangerous to health or safety; or
  - (d) The law enforcement agency has probable cause to believe that the **property** is subject to forfeiture.
- (Added to NRS by 1985, 1466; A 1987, 1382)

### **NRS 179.118 Distribution of proceeds from forfeited property.**

1. The proceeds from any sale or retention of property declared to be forfeited and any interest accrued pursuant to subsection 2 of [NRS 179.1175](#) must be applied, first, to the satisfaction of any protected interest established by a claimant in the proceeding, then to the proper expenses of the proceeding for forfeiture and resulting sale, including the expense of effecting the seizure, the expense of maintaining custody, the expense of advertising and the costs of the suit.
  2. Any balance remaining after the distribution required by subsection 1 must be deposited as follows:
    - (a) Except as otherwise provided in this subsection, if the plaintiff seized the property, in the special account established pursuant to [NRS 179.1187](#) by the governing body that controls the plaintiff.
    - (b) Except as otherwise provided in this subsection, if the plaintiff is a metropolitan police department, in the special account established by the Metropolitan Police Committee on Fiscal Affairs pursuant to [NRS 179.1187](#).
    - (c) Except as otherwise provided in this subsection, if more than one agency was substantially involved in the seizure, in an equitable manner to be directed by the court hearing the proceeding for forfeiture.
    - (d) If the property was seized pursuant to [NRS 200.760](#), in the State Treasury for credit to the Fund for the Compensation of Victims of Crime to be used for the counseling and the medical treatment of victims of crimes committed in violation of [NRS 200.366](#), [200.710](#) to [200.730](#), inclusive, or [201.230](#).
    - (e) **If the property was seized as the result of a violation of [NRS 202.300](#)**, in the general fund of the county in which the complaint for forfeiture was filed, to be used to support programs of counseling of persons ordered by the court to attend counseling pursuant to [NRS 62E.290](#).
    - (f) If the property was forfeited pursuant to [NRS 201.351](#), with the county treasurer to be distributed in accordance with the provisions of subsection 4 of [NRS 201.351](#).
- (Added to NRS by 1985, 1467; A 1987, 1383; 1989, 1789; 1995, 1150; [1997, 1599](#); [2001, 875](#); [2003, 1120](#); [2009, 575](#))

### **NRS 179.119 Quaterly Reports by law enforcement agencies that receive forfeited property or related proceeds; inclusion of such anticipated revenue in budget prohibited.**

1. Any law enforcement agency that receives forfeited property or the proceeds of a sale of such property pursuant to the provisions contained in [NRS 179.1156](#) to [179.119](#), inclusive, shall:
    - (a) File a quarterly report of the approximate value of the property and the amount of the proceeds with the entity that controls the budget of the agency; and
    - (b) Provide the entity that controls the budget of the agency with a quarterly accounting of the receipt and use of the proceeds.
  2. Revenue from forfeitures must not be considered in the preparation of the budget of a law enforcement agency except as money to match money from the Federal Government.
- (Added to NRS by 1985, 1468; A 1987, 1384; 1989, 1790; [2003, 2529](#))

### **NRS 179.1205 Annual reports by law enforcement agencies.**

1. On an annual basis, each law enforcement agency shall report the following information about each **individual seizure and forfeiture** completed by the law enforcement agency under state forfeiture law:
  - (a) Data on seizures and forfeitures, including, without limitation, the:
    - (1) Date that currency, vehicles, houses or other types of **property** were seized;
    - (2) Type of **property** seized, including, the year, make and model, as applicable;
    - (3) Type of **crime associated with the seizure of the property**;

- (4) Market value of the **property** seized;
  - (5) Disposition of **the property** following the seizure; and
  - (6) Date of the disposition of the **property**.
  - (b) Data on the use of proceeds, including, without limitation, the:
    - (1) Payment of all outstanding liens on the forfeited property;
    - (2) Payment of reasonable expenses, except personnel costs, of the seizure, storage and maintenance of custody of any forfeited property; and
    - (3) Distribution of proceeds pursuant to [NRS 179.118](#), [179.1187](#), [179.1233](#) and [207.500](#).
  - (c) Any other information required by the Office of the Attorney General.
  - 2. The Office of the Attorney General shall develop standard forms, processes and deadlines for the entry of electronic data for the annual submission of the report required by subsection 1.
  - 3. Each law enforcement agency shall file with the Office of the Attorney General the report required by subsection 1. A null report must be filed by a law enforcement agency that did not engage in a seizure or forfeiture during the reporting period. The Office of the Attorney General shall compile the submissions and issue an aggregate report of all forfeitures in this State.
  - 4. On or before April 1 of each year, the Office of the Attorney General shall make available:
    - (a) On its Internet website, the reports submitted by law enforcement agencies and the aggregate report.
    - (b) Upon request, printed copies of the reports submitted by law enforcement agencies and the aggregate report.
  - 5. The Office of the Attorney General shall include in the aggregate report information on any law enforcement agencies not in compliance with this section.
- (Added to NRS by [2015.2500](#))

### **NRS 179.121 Forfeiture of personal property and conveyances used in commission of crime.**

- 1. All personal property, including, without limitation, any tool, substance, **weapon**, machine, computer, money or security, which is used as an instrumentality in any of the following crimes is subject to forfeiture:
  - (a) The commission of or attempted commission of the crime of murder, robbery, kidnapping, burglary, invasion of the home, grand larceny or theft if it is punishable as a felony;
  - (b) The commission of or attempted commission of any felony with the intent to commit, cause, aid, further or conceal an act of terrorism;
  - (c) A violation of [NRS 202.445](#) or [202.446](#);
  - (d) The commission of any crime by a criminal gang, as defined in [NRS 213.1263](#); or
  - (e) A violation of [NRS 200.463](#) to [200.468](#), inclusive, [201.300](#), [201.320](#), [202.265](#), [202.287](#), [205.473](#) to [205.513](#), inclusive, [205.610](#) to [205.810](#), inclusive, [370.380](#), [370.382](#), [370.395](#), [370.405](#), [465.070](#) to [465.086](#), inclusive, [630.400](#), [630A.600](#), [631.400](#), [632.285](#), [632.291](#), [632.315](#), [633.741](#), [634.227](#), [634A.230](#), [635.167](#), [636.145](#), [637.090](#), [637B.290](#), [639.100](#), [639.2813](#), [640.169](#), [640A.230](#), [644.190](#) or [654.200](#).
- 2. Except as otherwise provided for conveyances forfeitable pursuant to [NRS 453.301](#) or [501.3857](#), all conveyances, including aircraft, vehicles or vessels, which are used or intended for use during the commission of a felony or a violation of [NRS 202.287](#), [202.300](#) or [465.070](#) to [465.086](#), inclusive, are subject to forfeiture except that:
  - (a) A conveyance used by any person as a common carrier in the transaction of business as a common carrier is not subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to the felony or violation;
  - (b) A conveyance is not subject to forfeiture under this section by reason of any act or omission established by the owner thereof to have been committed or omitted without the owner's knowledge, consent or willful blindness;
  - (c) A conveyance is not subject to forfeiture for a violation of [NRS 202.300](#) if the firearm used in the violation of that section was not loaded at the time of the violation; and
  - (d) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had knowledge of nor consented to the felony. If a conveyance is forfeited, the appropriate law enforcement agency may pay the existing balance and retain the conveyance for official use.
- 3. **For the purposes of this section, a firearm is loaded if:**
  - (a) **There is a cartridge in the chamber of the firearm;**
  - (b) **There is a cartridge in the cylinder of the firearm, if the firearm is a revolver; or**
  - (c) **There is a cartridge in the magazine and the magazine is in the firearm or there is a cartridge in the chamber, if the firearm is a semiautomatic firearm.**

4. As used in this section, “act of terrorism” has the meaning ascribed to it in [NRS 202.4415](#).

(Added to NRS by [1983, 1135](#); A [1985, 638, 1239; 1989, 656, 1187, 1188, 1241, 1242, 1453; 1991, 210, 2287, 2288; 1995, 1150, 1424; 1997, 639; 1999, 2711; 2003, 2952; 2005, 90, 1199; 2007, 1269; 2009, 575; 2013, 1857, 2248, 2420; 2015, 2311](#))

### **NRS 179.125 Stolen or embezzled property held by peace officer subject to magistrate’s order.**

Except as provided in [NRS 52.385](#), when **property**, alleged to have been stolen or embezzled, shall come into the custody of a peace officer, the peace officer shall hold the same subject to the order of the magistrate authorized by [NRS 179.135](#) to direct the disposal thereof.

(Added to NRS by [1967, 1460](#); A [1975, 1184](#))

### **NRS 179.135 Order for delivery to owner; payment of expenses.**

On satisfactory proof of the title of the **owner of the property**, the magistrate to whom the information is laid, or who shall examine the charge against the person accused of stealing or embezzling the property, may order it to be delivered to the owner, on the owner’s paying the reasonable and necessary expenses incurred in its preservation, to be certified by the magistrate. **The order shall entitle the owner to demand and receive the property.**

(Added to NRS by [1967, 1460](#))

### **NRS 179.145 Magistrate to deliver property to owner when it comes into magistrate’s custody; proof of title and payment of expenses.**

If the **property** stolen or embezzled come into the custody of the magistrate, it shall be delivered to the owner **on satisfactory proof of title**, and on the owner’s paying the necessary expenses incurred in its preservation, to be certified by the magistrate.

(Added to NRS by [1967, 1461](#))

### **NRS 179.155 Court may order return of property to owner.**

If the **property** stolen or embezzled has not been delivered to the owner, the court before which a conviction is had for stealing or embezzling it may, on proof of title, order it to be restored to the owner.

(Added to NRS by [1967, 1461](#))

### **NRS 179.165 Notice must be provided by law enforcement agency to owner, pawnbroker and other interested persons; contents of notice; sale or disposal of unclaimed property by county treasurer; records.**

1. Except as otherwise provided in subsections 2 and 3, a law enforcement agency which has custody of **property that has been stolen** or embezzled shall, if the agency knows or can reasonably discover the name and address of the owner or the person entitled to possession of the **property**, notify the owner or the person entitled to possession of the property by letter of the location of the property and the method by which the owner or the person entitled to possession of the **property** may claim it.

2. **If the property that has been stolen or embezzled is a firearm, the law enforcement agency shall notify only the owner of the firearm of the location of the property and the method by which the owner may claim it.**

3. If the **property** that has been stolen or embezzled was obtained from a pawnbroker pursuant to [NRS 646.047](#), the law enforcement agency shall, in addition to notifying the persons described in subsection 1 or 2, as appropriate, notify the pawnbroker from whom it was obtained.

4. The notice must be mailed by certified or registered mail:

- (a) Upon the conviction of the person who committed the offense;
- (b) Upon the decision of the police or district attorney not to pursue or prosecute the case; or
- (c) When the case is otherwise terminated.

5. If the **property** stolen or embezzled is not claimed by the owner or the person entitled to possession of the property before the expiration of 6 months after the date the notice is mailed or, if no notice is required, after the date notice would have been sent if it were required, the magistrate or other officer having it in custody shall, except as otherwise provided in this subsection, on payment of the necessary expenses incurred for its preservation, deliver it to the county treasurer, who shall dispose of the **property** as provided in subsection 6. If a metropolitan police department which is organized pursuant to [chapter 280](#) of NRS has custody of the **property**, the sheriff of the department may deliver it to the county treasurer and accept the net proceeds, if any, from the disposition of the **property** pursuant to subsection 6 in lieu of the payment of expenses incurred for the **property's** preservation.
6. Upon receiving stolen or embezzled **property** pursuant to this section, the county treasurer shall petition the district court for an order authorizing the county treasurer to:
- (a) Conduct an auction for the disposal of salable **property**;
  - (b) Dispose of **property** not deemed salable by donations to charitable organizations or by destruction;
  - (c) Destroy **property** the possession of which is deemed illegal or dangerous; or
  - (d) Dispose of **property** not purchased at an auction by donations to charitable organizations or by destruction.
7. Records of the **property** disposed of by sale, destruction or donation and an accounting of the cash received by the county treasurer from the sales must be filed with the county clerk.  
(Added to NRS by 1967, 1461; A 1973, 565; 1989, 382; [1999, 753](#))

**NRS 179.285 Order sealing records: Effect; proceedings deemed never to have occurred; restoration of civil rights.** Except as otherwise provided in [NRS 179.301](#):

1. If the court orders a record sealed pursuant to [NRS 176A.265](#), [176A.295](#), [179.245](#), [179.255](#), [179.259](#), [453.3365](#) or [458.330](#):
- (a) All proceedings recounted in the record are deemed never to have occurred, and the person to whom the order pertains may properly answer accordingly to any inquiry, including, without limitation, an inquiry relating to an application for employment, concerning the arrest, conviction, dismissal or acquittal and the events and proceedings relating to the arrest, conviction, dismissal or acquittal.
  - (b) The person is immediately restored to the following civil rights if the person's civil rights previously have not been restored:
    - (1) The right to vote;
    - (2) The right to hold office; and
    - (3) The right to serve on a jury.
2. Upon the sealing of the person's records, a person who is restored to his or her civil rights pursuant to subsection 1 must be given:
- (a) An official document which demonstrates that the person has been restored to the civil rights set forth in paragraph (b) of subsection 1; and
  - (b) **A written notice informing the person that he or she has not been restored to the right to bear arms, unless the person has received a pardon and the pardon does not restrict his or her right to bear arms.**
3. A person who has had his or her records sealed in this State or any other state and whose official documentation of the restoration of civil rights is lost, damaged or destroyed may file a written request with a court of competent jurisdiction to restore his or her civil rights pursuant to this section. Upon verification that the person has had his or her records sealed, the court shall issue an order restoring the person to the civil rights to vote, to hold office and to serve on a jury. A person must not be required to pay a fee to receive such an order.
4. A person who has had his or her records sealed in this State or any other state may present official documentation that the person has been restored to his or her civil rights or a court order restoring civil rights as proof that the person has been restored to the right to vote, to hold office and to serve as a juror.  
(Added to NRS by 1971, 956; A 1981, 1105; 1991, 304; [2001, 1169](#), [1694](#); [2001 Special Session, 262](#); [2003, 312](#), [316](#), [319](#), [2687](#); [2009, 108](#), [420](#); [2011, 22](#))

**NRS 193.163 Additional penalty: Use of handgun containing metal-penetrating bullet in commission of crime.**

1. Except as otherwise provided in [NRS 193.169](#), any person who uses a **handgun** containing a **metal-penetrating bullet** in the commission of a crime shall, in addition to the term of imprisonment prescribed by statute for the crime, be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. In determining the length of the additional penalty imposed, the court shall consider the following information:

- (a) The facts and circumstances of the crime;
- (b) The criminal history of the person;
- (c) The impact of the crime on any victim;
- (d) Any mitigating factors presented by the person; and
- (e) Any other relevant information.

The court shall state on the record that it has considered the information described in paragraphs (a) to (e), inclusive, in determining the length of the additional penalty imposed.

2. The sentence prescribed by this section:

- (a) Must not exceed the sentence imposed for the crime; and
- (b) Runs consecutively with the sentence prescribed by statute for the crime.

3. This section does not create a separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact.

4. As used in this section, “metal-penetrating bullet” has the meaning ascribed to it in [NRS 202.273](#).

(Added to NRS by 1983, 800; A 1991, 1059; [2007, 3187](#))

**NRS 193.165 Additional penalty: Use of deadly weapon or tear gas in commission of crime; restriction on probation.**

1. Except as otherwise provided in [NRS 193.169](#), any person who uses a **firearm** or other deadly weapon or a weapon containing or capable of emitting tear gas, whether or not its possession is permitted by [NRS 202.375](#), in the commission of a crime shall, in addition to the term of imprisonment prescribed by statute for the crime, be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. In determining the length of the additional penalty imposed, the court shall consider the following information:

- (a) The facts and circumstances of the crime;
- (b) The criminal history of the person;
- (c) The impact of the crime on any victim;
- (d) Any mitigating factors presented by the person; and
- (e) Any other relevant information.

The court shall state on the record that it has considered the information described in paragraphs (a) to (e), inclusive, in determining the length of the additional penalty imposed.

2. The sentence prescribed by this section:

- (a) Must not exceed the sentence imposed for the crime; and
- (b) Runs consecutively with the sentence prescribed by statute for the crime.

3. This section does not create any separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact.

4. The provisions of subsections 1, 2 and 3 do not apply where the use of a firearm, other deadly weapon or tear gas is a necessary element of such crime.

5. The court shall not grant probation to or suspend the sentence of any person who is convicted of using a **firearm**, other deadly weapon or tear gas in the commission of any of the following crimes:

- (a) Murder;
- (b) Kidnapping in the first degree;
- (c) Sexual assault; or
- (d) Robbery.

6. As used in this section, “**deadly weapon**” means:

- (a) Any instrument which, if used in the ordinary manner contemplated by its design and construction, will or is likely to cause substantial bodily harm or death;

- (b) Any **weapon**, device, instrument, material or substance which, under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing substantial bodily harm or death; or
- (c) A dangerous or deadly weapon specifically described in [NRS 202.255](#), [202.265](#), [202.290](#), [202.320](#) or [202.350](#).  
(Added to NRS by 1973, 1593; A 1975, 720; 1979, 225; 1981, 2050; 1991, 1059; 1995, 1431; [2007, 3188](#))

### **NRS 199.100 Rescuing prisoner.**

1. A person who, by force or fraud, rescues from lawful custody, or from an officer or person having him or her in lawful custody, a prisoner held upon a charge, arrest, commitment, conviction or sentence for felony is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#).

2. A person who rescues a prisoner held upon a charge, arrest, commitment, conviction or sentence for a gross misdemeanor or misdemeanor shall be punished:

(a) Where a dangerous weapon is used in the course of the rescue, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000.

(b) Where no dangerous weapon is so used, for a misdemeanor.

[1911 C&P § 71; RL § 6336; NCL § 10020]—(NRS A 1967, 464; 1979, 1420; 1995, 1174)

### **NRS 199.280 Resisting public officer.**

A person who, in any case or under any circumstances not otherwise specially provided for, willfully resists, delays or obstructs a public officer in discharging or attempting to discharge any legal duty of his or her office shall be punished:

1. Where a firearm is used in the course of such resistance, obstruction or delay, or the person intentionally removes, takes or attempts to remove or take a firearm from the person of, or the immediate presence of, the public officer in the course of such resistance, obstruction or delay, for a category C felony as provided in [NRS 193.130](#).

2. Where a dangerous weapon, other than a firearm, is used in the course of such resistance, obstruction or delay, or the person intentionally removes, takes or attempts to remove or take a weapon, other than a firearm, from the person of, or the immediate presence of, the public officer in the course of such resistance, obstruction or delay, for a category D felony as provided in [NRS 193.130](#).

3. Where no dangerous weapon is used in the course of such resistance, obstruction or delay, for a misdemeanor.

[1911 C&P § 97; RL § 6362; NCL § 10046]—(NRS A 1967, 466; 1979, 1422; 1995, 1176; [2009, 163](#))

### **NRS 200.120 “Justifiable homicide” defined; no duty to retreat under certain circumstances.**

1. Justifiable homicide is the killing of a human being in necessary self-defense, or in defense of an occupied habitation, an occupied motor vehicle or a person, against one who manifestly intends or endeavors to commit a crime of violence, or against any person or persons who manifestly intend and endeavor, in a violent, riotous, tumultuous or surreptitious manner, to enter the occupied habitation or occupied motor vehicle, of another for the purpose of assaulting or offering personal violence to any person dwelling or being therein.

2. A person is not required to retreat before using deadly force as provided in subsection 1 if the person:

(a) Is not the original aggressor;

(b) Has a right to be present at the location where deadly force is used; and

(c) Is not actively engaged in conduct in furtherance of criminal activity at the time deadly force is used.

3. As used in this section:

(a) “Crime of violence” means any felony for which there is a substantial risk that force or violence may be used against the person or property of another in the commission of the felony.

(b) “Motor vehicle” means every vehicle which is self-propelled.

[1911 C&P § 129; RL § 6394; NCL § 10076]—(NRS A [1983, 518](#); [2011, 265](#); [2015, 1781](#))

### **NRS 200.130 Bare fear insufficient to justify killing; reasonable fear required.**

1. A bare fear of any of the offenses mentioned in [NRS 200.120](#), to prevent which the homicide is alleged to have been committed, is not sufficient to justify the killing. It must appear that the circumstances were sufficient to excite the fears of a reasonable person and that the person killing really acted under the influence of those fears and not in a spirit of revenge.

2. There is a rebuttable presumption that the circumstances were sufficient to excite the fears of a reasonable person and that the person killing really acted under the influence of those fears and not in a spirit of revenge if the person killing:

(a) Knew or reasonably believed that the person who was killed was entering unlawfully and with force, or attempting to enter unlawfully and with force, the occupied habitation or occupied motor vehicle, of another;

(b) Knew or reasonably believed that the person who was killed was committing or attempting to commit a crime of violence; and

(c) Did not provoke the person who was killed.

3. As used in this section:

(a) “Crime of violence” means any felony for which there is a substantial risk that force or violence may be used against the person or property of another in the commission of the felony.

(b) “Motor vehicle” means every vehicle which is self-propelled.

[1911 C&P § 130; RL § 6395; NCL § 10077]—(NRS A [2015, 1782](#))

### **NRS 200.140 Justifiable homicide by public officer.**

Homicide is justifiable when committed by a public officer, or person acting under the command and in the aid of the public officer, in the following cases:

1. In obedience to the judgment of a competent court.

2. When necessary to overcome actual resistance to the execution of the legal process, mandate or order of a court or officer, or in the discharge of a legal duty.

3. When necessary:

(a) In retaking an escaped or rescued prisoner who has been committed, arrested for, or convicted of a felony;

(b) In attempting, by lawful ways or means, to apprehend or arrest a person;

(c) In lawfully suppressing a riot or preserving the peace; or

(d) In protecting against an imminent threat to the life of a person.

[1911 C&P § 131; RL § 6396; NCL § 10078]—(NRS A 1975, 323; [1993, 931](#); [2013, 270](#))

### **NRS 200.150 Justifiable or excusable homicide.**

All other instances which stand upon the same footing of reason and justice as those enumerated shall be considered justifiable or excusable homicide.

[1911 C&P § 132; RL § 6397; NCL § 10079]

### **NRS 200.160 Additional cases of justifiable homicide.**

Homicide is also justifiable when committed:

1. In the lawful defense of the slayer, or his or her husband, wife, parent, child, brother or sister, or of any other person in his or her presence or company, when there is reasonable ground to apprehend a design on the part of the person slain to commit a felony or to do some great personal injury to the slayer or to any such person, and there is imminent danger of such design being accomplished; or

2. In the actual resistance of an attempt to commit a felony upon the slayer, in his or her presence, or upon or in a dwelling, or other place of abode in which the slayer is.

[1911 C&P § 133; A 1931, 160; 1931 NCL § 10080]—(NRS A [1993, 932](#))

### **NRS 200.170 Burden of proving circumstances of mitigation or justifiable or excusable homicide.**

The killing of the deceased named in the indictment or information by the defendant being proved, the burden of proving circumstances of mitigation, or that justify or excuse the homicide, will devolve on the accused, unless the proof on the part of the prosecution sufficiently manifests that the crime committed only amounts to manslaughter, or that the accused was justified, or excused in committing the homicide.

[1911 C&P § 134; A 1951, 524]

### **NRS 200.200 Killing in self-defense.**

If a person kills another in self-defense, it must appear that:

1. The danger was so urgent and pressing that, in order to save the person's own life, or to prevent the person from receiving great bodily harm, the killing of the other was absolutely necessary; and
2. The person killed was the assailant, or that the slayer had really, and in good faith, endeavored to decline any further struggle before the mortal blow was given.

[1911 C&P § 137; RL § 6402; NCL § 10084]

### **NRS 200.260 Death resulting from unlawful manufacture or storage of explosives; penalty.**

A person who makes or keeps **gunpowder** or any other explosive substance in a city or town in any quantity or manner prohibited by law or by ordinance of the municipality commits manslaughter if an explosion thereof occurs whereby the death of a human being is occasioned, and shall be punished for a category D felony as provided in [NRS 193.130](#).

[1911 C&P § 144; RL § 6409; NCL § 10091]—(NRS A [1967, 469](#); [1983, 120](#); [1995, 1183](#))

### **NRS 200.410 Death resulting from duel; penalty.**

If a person fights, by previous appointment or agreement, a duel with a **rifle, shotgun, pistol**, bowie knife, dirk, small sword, backsword or other dangerous weapon, and in so doing kills his or her antagonist, or any person, or inflicts such a wound that the party or parties injured die thereof, each such offender is guilty of murder in the first degree, which is a category A felony, and upon conviction thereof shall be punished as provided in subsection 4 of [NRS 200.030](#).

[1911 C&P § 157; RL § 6422; NCL § 10104]—(NRS A 1959, 10; 1995, 1189; [1999, 2](#))

### **NRS 200.450 Challenges to fight; penalties.**

1. If a person, upon previous concert and agreement, fights with any other person or gives, sends or authorizes any other person to give or send a challenge verbally or in writing to fight any other person, the person giving, sending or accepting the challenge to fight any other person shall be punished:

(a) If the fight does not involve the use of a deadly weapon, for a gross misdemeanor; or

(b) **If the fight involves the use of a deadly weapon**, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000.

2. A person who acts for another in giving, sending, or accepting, either verbally or in writing, a challenge to fight any other person shall be punished:

(a) If the fight does not involve the use of a deadly weapon, for a gross misdemeanor; or

(b) **If the fight involves the use of a deadly weapon**, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000.

3. Should death ensue to a person in such a fight, or should a person die from any injuries received in such a fight, the person causing or having any agency in causing the death, either by fighting or by giving or sending for himself or herself or for any other person, or in receiving for himself or herself or for any other person, the challenge to fight, is guilty of murder in the first degree which is a category A felony and shall be punished as provided in subsection 4 of [NRS 200.030](#).

[1911 C&P § 161; RL § 6426; NCL § 10108]—(NRS A 1967, 472; 1977, 884; 1979, 1426; 1995, 1189; [1999, 2](#))

## **NRS 202.253 Definitions.**

As used in [NRS 202.253](#) to [202.369](#), inclusive:

1. “Explosive or incendiary device” means any explosive or incendiary material or substance that has been constructed, altered, packaged or arranged in such a manner that its ordinary use would cause destruction or injury to life or property.

2. “Firearm” means any device designed to be used as a weapon from which a projectile may be expelled through the barrel by the force of any explosion or other form of combustion.

3. “Firearm capable of being concealed upon the person” applies to and includes all firearms having a barrel less than 12 inches in length.

4. “Motor vehicle” means every vehicle that is self-propelled.

(Added to NRS by 1977, 879; A 1979, 157; 1989, 1239; 1995, 1151, 2533, 2726; 1997, 662, 826; [2001, 805](#); [2003, 1350](#); [2005, 594](#))

## **NRS 202.254 Private person authorized to obtain background check on person who wishes to obtain firearm; fee.**

1. A private person who wishes to transfer a [firearm](#) to another person may, before transferring the [firearm](#), request that the [Central Repository for Nevada Records of Criminal History](#) perform a background check on the person who wishes to acquire the [firearm](#).

2. The person who requests the information pursuant to subsection 1 shall provide the [Central Repository](#) with identifying information about the person who wishes to acquire the firearm.

3. Upon receiving a request from a private person pursuant to subsection 1 and the identifying information required pursuant to subsection 2, the [Central Repository](#) shall within 5 business days after receiving the request:

(a) Perform a background check on the person who wishes to acquire the [firearm](#); and

(b) Notify the person who requests the information whether the information available to the [Central Repository](#) indicates that the receipt of a [firearm](#) by the person who wishes to acquire the firearm would violate a state or federal law.

4. If the person who requests the information does not receive notification from the [Central Repository](#) regarding the request within 5 business days after making the request, the person may presume that the receipt of a [firearm](#) by the person who wishes to acquire the [firearm](#) would not violate a state or federal law.

5. The [Central Repository](#) may not charge a fee for performing a background check and notifying a person of the results of the background check pursuant to this section.

6. A private person who transfers a [firearm](#) to another person is immune from civil liability for failing to request a background check pursuant to this section or for any act or omission relating to a background check requested pursuant to this section if the act or omission was taken in good faith and without malicious intent.

7. The Director of the Department of Public Safety may request an allocation from the Contingency Account pursuant to [NRS 353.266](#), [353.268](#) and [353.269](#) to cover the costs incurred by the Department to carry out the provisions of subsection 5.

(Added to NRS by [1997, 825](#); A [2015, 1805](#))

## **NRS 202.255 Setting spring gun or other deadly weapon: Unlawful and permitted uses; penalties.**

1. A person who sets a so-called trap, [spring pistol](#), [rifle](#), or other deadly weapon shall be punished:

(a) If no injury results therefrom to any human being, for a gross misdemeanor.

(b) If injuries not fatal result therefrom to any human being, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

(c) If the death of a human being results therefrom:

\ (1) Under circumstances not rendering the act murder, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000; or

(2) Otherwise, for murder which is a category A felony as provided in [NRS 200.030](#).

2. Subsection 1 does not prevent the use of any loaded **spring gun, set gun** or other device for the destruction of gophers, moles, coyotes or other burrowing rodents or predatory animals by agents or employees of governmental agencies engaged in cooperative predatory animal and rodent control work, but:

(a) A loaded **spring gun, set gun** or other device must not be set within 15 miles of the boundaries of any incorporated city or unincorporated town; and

(b) Before setting any such loaded **spring gun, set gun** or other device on any real property permission must first be obtained from the owner, lessee or administrator thereof.

[1911 C&P § 302; RL § 6567; NCL § 10250]—(NRS A 1960, 336; 1967, 485; 1979, 1433; 1995, 1205)

### **NRS 202.257 Possession of firearm when under influence of alcohol, controlled substance or other intoxicating substance; administration of evidentiary test; penalty; forfeiture of firearm.**

1. It is unlawful for a person who:

(a) Has a concentration of alcohol of 0.10 or more in his or her blood or breath; or

(b) Is under the influence of any controlled substance, or is under the combined influence of intoxicating liquor and a controlled substance, or any person who inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders him or her incapable of safely exercising actual physical **control of a firearm**, to have in his or her actual **physical possession any firearm**. This prohibition does not apply to the actual **physical possession of a firearm** by a person who was within the person's personal residence and had the **firearm** in his or her possession solely for self-defense.

2. Any evidentiary test to determine whether a person has violated the provisions of subsection 1 must be administered in the same manner as an evidentiary test that is administered pursuant to [NRS 484C.160](#) to [484C.250](#), inclusive, except that submission to the evidentiary test is required of any person who is requested by a police officer to submit to the test. If a person to be tested fails to submit to a required test as requested by a police officer, the officer may apply for a warrant or court order directing that reasonable force be used to the extent necessary to obtain the samples of blood from the person to be tested, if the officer has reasonable cause to believe that the person to be tested was in violation of this section.

3. Any person who violates the provisions of subsection 1 is guilty of a misdemeanor.

4. A **firearm is subject to forfeiture** pursuant to [NRS 179.1156](#) to [179.1205](#), inclusive, only if, during the violation of subsection 1, the **firearm is brandished**, aimed or otherwise handled by the person in a manner which endangered others.

5. As used in this section, the phrase "concentration of alcohol of 0.10 or more in his or her blood or breath" means 0.10 gram or more of alcohol per 100 milliliters of the blood of a person or per 210 liters of his or her breath.

(Added to NRS by [1995, 2533](#); A [1999, 2470](#); [2003, 2565](#); [2015, 2534](#))

### **NRS 202.265 Possession of dangerous weapon on property or in vehicle of school or child care facility; penalty; exceptions.**

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

(a) An explosive or incendiary device;

(b) A dirk, dagger or switchblade knife;

(c) A nunchaku or trefoil;

(d) A blackjack or billy club or metal knuckles;

(e) A **pneumatic gun**;

(f) A **pistol, revolver or other firearm**; or

(g) Any device used to mark any part of a person with paint or any other substance.

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

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

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

(1) Peace officer;

(2) School security guard; or

(3) Person having written permission from the president of a branch or facility of the Nevada System of Higher Education or the principal of the school or the person designated by a child care facility to give permission to carry or possess the weapon.

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

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

5. For the purposes of this section:

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

(b) "Nunchaku" has the meaning ascribed to it in [NRS 202.350](#).

(c) "Pneumatic gun" means any implement designed as a gun that may expel a ball bearing or a pellet by action of pneumatic pressure. The term includes, without limitation, a paintball gun that expels plastic balls filled with paint for the purpose of marking the point of impact.

(d) "Switchblade knife" means a spring-blade knife, snap-blade knife or any other knife having the appearance of a pocketknife, any blade of which is 2 or more inches long and which can be released automatically by a flick of a button, pressure on the handle or other mechanical device, or is released by any type of mechanism. The term does not include a knife which has a blade that is held in place by a spring if the blade does not have any type of automatic release.

(e) "Trefoil" has the meaning ascribed to it in [NRS 202.350](#).

(f) "Vehicle" has the meaning ascribed to "school bus" in [NRS 484A.230](#).

(Added to NRS by [1989, 656](#); A [1993, 364](#); [1995, 1151](#); [2001, 806](#); [2007, 1913](#); [2015, 1586](#))

### **NRS 202.273 Unlawful manufacture or sale of certain metal-penetrating bullets: Exceptions; penalty.**

1. Except as provided in subsection 2, it is unlawful to manufacture or sell any metal-penetrating bullet capable of being fired from a handgun.

2. A person may manufacture and sell metal-penetrating bullets pursuant to an agreement with a law enforcement agency for the sale of such bullets to that agency.

3. A person who violates the provisions of this section is guilty of a gross misdemeanor.

4. As used in this section, "metal-penetrating bullet" means a bullet whose core:

(a) Reduces the normal expansion of the bullet upon impact; and

(b) Is at least as hard as the maximum hardness attainable using solid red metal alloys, and which can be used in a handgun. The term does not include any bullet with a copper or brass jacket and a core of lead or a lead alloy, or a bullet made of lead or lead alloys.

(Added to NRS by 1983, 800)

### **NRS 202.275 Possession, manufacture or disposition of short-barreled rifle or short-barreled shotgun: Penalty; exceptions.**

1. Except as otherwise provided in subsection 3, a person who knowingly or willfully possesses, manufactures or disposes of any [short-barreled rifle](#) or [short-barreled shotgun](#) is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).

2. For purposes of this section:

(a) "Short-barreled rifle" means:

(1) A rifle having one or more barrels less than 16 inches in length; or

(2) Any weapon made from a rifle, whether by alteration, modification or other means, with an overall length of less than 26 inches.

(b) "Short-barreled shotgun" means:

(1) A shotgun having one or more barrels less than 18 inches in length; or

(2) Any weapon made from a shotgun, whether by alteration, modification or other means, with an overall length of less than 26 inches.

3. This section does not prohibit:

(a) The possession or use of any **short-barreled rifle or short-barreled shotgun** by any peace officer when authorized to do so in the performance of official duties;

(b) The possession of any **short-barreled rifle or short-barreled shotgun** by a person who is licensed as a firearms importer, manufacturer, collector or dealer by the United States Department of the Treasury, or by a person to whom such a rifle or shotgun is registered with the United States Department of the Treasury; or

(c) The **possession of any short-barreled rifle or short-barreled shotgun that has been determined to be a collector's item pursuant to 26 U.S.C. Chapter 53 or a curio or relic pursuant to 18 U.S.C. Chapter 44.**

(Added to NRS by 1977, 879; A 1979, 1434; 1991, 1136; 1995, 1206; [2005, 64](#))

### **NRS 202.277 Changing, altering, removing or obliterating serial number of firearm prohibited; possession of firearm with serial number changed, altered, removed or obliterated prohibited; penalties.**

1. A person shall not intentionally change, alter, remove or obliterate the **serial number upon any firearm**. Any person who violates the provisions of this subsection is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#).

2. A person shall not **knowingly possess a firearm on which the serial number has been intentionally changed, altered, removed or obliterated**. Any person who violates the provisions of this subsection is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).

(Added to NRS by 1977, 880; A [2003, 1350](#))

### **NRS 202.280 Discharging firearm in or upon public streets or in places of public resort; throwing deadly missiles; duties of civil, military and peace officers; penalties.**

1. Unless a greater penalty is provided in [NRS 202.287](#), a person, whether under the influence of liquor, a controlled substance or otherwise, who maliciously, wantonly or negligently **discharges or causes to be discharged any pistol, gun or any other kind of firearm**, in or upon any public street or thoroughfare, or in any theater, hall, store, hotel, saloon or any other place of public resort, or throws any deadly missile in a public place or in any place where any person might be endangered thereby, although no injury results, is guilty of a misdemeanor.

2. All civil, military and peace officers shall be vigilant in carrying the provisions of subsection 1 into full force and effect. Any peace officer who neglects his or her duty in the arrest of any such offender is guilty of a gross misdemeanor.

[1911 C&P § 304; RL § 6569; NCL § 10252] + [1911 C&P § 305; RL § 6570; NCL § 10253]—(NRS A 1967, 485; 1989, 1240)

### **NRS 202.285 Discharging firearm at or into structure, vehicle, aircraft or watercraft; penalties.**

1. A person who **willfully and maliciously discharges a firearm** at or into any house, room, apartment, tenement, shop, warehouse, store, mill, barn, stable, outhouse or other building, tent, vessel, aircraft, vehicle, vehicle trailer, semitrailer or house trailer, railroad locomotive, car or tender:

(a) If it has been abandoned, is guilty of a misdemeanor unless a greater penalty is provided in [NRS 202.287](#).

(b) If it is occupied, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

2. **Whenever a firearm is so discharged** at or into any vessel, aircraft, vehicle, vehicle trailer, semitrailer or house trailer, railroad locomotive, car or tender, in motion or at rest, and it cannot with reasonable certainty be ascertained in what county the crime was committed, the offender may be arrested and tried in any county through which the vessel, aircraft, vehicle, vehicle trailer, semitrailer or house trailer, locomotive or railroad car may have run on the trip during which the firearm was discharged at or into it.

(Added to NRS by 1979, 157; A 1989, 1240; 1995, 1206)

### **NRS 202.287 Discharging firearm within or from structure or vehicle; penalties.**

1. A person who is in, on or under a structure or vehicle and who **maliciously or wantonly discharges or maliciously or wantonly causes to be discharged a firearm** within or from the structure or vehicle:

(a) If the structure or vehicle is not within an area designated by city or county ordinance as a populated area for the **purpose of prohibiting the discharge of weapons**, is guilty of a misdemeanor.

(b) If the structure or vehicle is within an area designated by city or county ordinance as a populated area for the purpose of **prohibiting the discharge of weapons**, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

2. If a **firearm is discharged within or out of any vehicle that is in motion or at rest** and it cannot with reasonable certainty be ascertained in what county the crime was committed, the offender may be arrested and tried in any county through which the vehicle may have run on the trip during which the firearm was discharged.

3. The provisions of this section do not apply to:

(a) A person who lawfully shoots at a game mammal or game bird pursuant to subsection 2 of [NRS 503.010](#).

(b) A peace officer while engaged in the performance of his or her official duties.

(c) A person who **discharges a firearm in a lawful manner** and in the course of a lawful business, event or activity.

4. As used in this section:

(a) "Structure" means any temporary or permanent structure, including, but not limited to, any tent, house, room, apartment, tenement, shop, warehouse, store, mill, barn, stable, outhouse or other building.

(b) "Vehicle" means any motor vehicle or trailer designed for use with a motor vehicle, whether or not it is self-propelled, operated on rails or propelled by electric power obtained from overhead wires.

(Added to NRS by 1989, 1239; A 1993, 2774; 1995, 1152, 1207, 2403, 2409; [2003, 987](#))

### **NRS 202.290 Aiming firearm at human being; discharging weapon where person might be endangered; penalty.**

Unless a greater penalty is provided in [NRS 202.287](#), a person who willfully:

1. **Aims any gun, pistol, revolver or other firearm, whether loaded or not, at or toward any human being**; or

2. **Discharges any firearm, air gun or other weapon**, or throws any deadly missile in a public place or in any place where any person might be endangered thereby, although an injury does not result, is guilty of a gross misdemeanor.

[1911 C&P § 344; RL § 6609; NCL § 10292]—(NRS A 1989, 820, 1240, 1243)

### **NRS 202.300 Use or possession of firearm by child under age of 18 years; unlawful to aid or permit child to commit violation; penalties; child 14 years of age or older authorized to possess firearm under certain circumstances.**

1. Except as otherwise provided in this section, a child under the age of 18 years shall not handle or have in his or her possession or under his or her control, except while accompanied by or under the immediate charge of his or her parent or guardian or an adult person authorized by his or her parent or guardian to have control or custody of the child, **any firearm of any kind** for hunting or target practice or for other purposes. A child who violates this subsection commits a delinquent act and the court may order the detention of the child in the same manner as if the child had committed an act that would have been a felony if committed by an adult.

2. A person who aids or knowingly permits a child to violate subsection 1:

(a) Except as otherwise provided in paragraph (b), for the first offense, is guilty of a misdemeanor.

(b) For a first offense, if the person knows or has reason to know that there is a substantial risk that the child will use the firearm to commit a violent act, is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#).

(c) For a second or any subsequent offense, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000.

3. A person does not aid or knowingly permit a child to violate subsection 1 if:

(a) The firearm was stored in a securely locked container or at a location which a reasonable person would have believed to be secure;

(b) The child obtained the firearm as a result of an unlawful entry by any person in or upon the premises where the firearm was stored;

(c) The injury or death resulted from an accident which was incident to target shooting, sport shooting or hunting; or

(d) The child gained possession of the firearm from a member of the military or a law enforcement officer, while the member or officer was performing his or her official duties.

4. The provisions of subsection 1 do not apply to a child who is a member of the Armed Forces of the United States.

5. Except as otherwise provided in subsection 8, a child who is 14 years of age or older, who has in his or her possession a valid license to hunt, may handle or have in his or her possession or under his or her control, without being accompanied by his or her parent or guardian or an adult person authorized by his or her parent or guardian to have control or custody of the child:

(a) A rifle or shotgun that is not a fully automatic firearm, if the child is not otherwise prohibited by law from possessing the rifle or shotgun and the child has the permission of his or her parent or guardian to handle or have in his or her possession or under his or her control the rifle or shotgun; or

(b) A firearm capable of being concealed upon the person, if the child has the written permission of his or her parent or guardian to handle or have in his or her possession or under his or her control such a firearm and the child is not otherwise prohibited by law from possessing such a firearm, and the child is traveling to the area in which the child will be hunting or returning from that area and the firearm is not loaded, or the child is hunting pursuant to that license.

6. Except as otherwise provided in subsection 8, a child who is 14 years of age or older may handle or have in his or her possession or under his or her control a rifle or shotgun that is not a fully automatic firearm if the child is not otherwise prohibited by law from possessing the rifle or shotgun, without being accompanied by his or her parent or guardian or an adult person authorized by his or her parent or guardian to have control or custody of the child, if the child has the permission of his or her parent or guardian to handle or have in his or her possession or under his or her control the rifle or shotgun and the child is:

(a) Attending a course of instruction in the responsibilities of hunters or a course of instruction in the safe use of firearms;

(b) Practicing the use of a firearm at an established firing range or at any other area where the discharge of a firearm is permitted;

(c) Participating in a lawfully organized competition or performance involving the use of a firearm;

(d) Within an area in which the discharge of firearms has not been prohibited by local ordinance or regulation and the child is engaging in a lawful hunting activity in accordance with chapter 502 of NRS for which a license is not required;

(e) Traveling to or from any activity described in paragraph (a), (b), (c) or (d), and the firearm is not loaded;

(f) On real property that is under the control of an adult, and the child has the permission of that adult to possess the firearm on the real property; or

(g) At his or her residence.

7. Except as otherwise provided in subsection 8, a child who is 14 years of age or older may handle or have in his or her possession or under his or her control, for the purpose of engaging in any of the activities listed in paragraphs (a) to (g), inclusive, of subsection 6, a firearm capable of being concealed upon the person, without being accompanied by his or her parent or guardian or an adult person authorized by his or her parent or guardian to have control or custody of the child, if the child:

(a) Has the written permission of his or her parent or guardian to handle or have in his or her possession or under his or her control such a firearm for the purpose of engaging in such an activity; and

(b) Is not otherwise prohibited by law from possessing such a firearm.

8. A child shall not handle or have in his or her possession or under his or her control a loaded firearm if the child is:

(a) An occupant of a motor vehicle;

(b) Within any residence, including his or her residence, or any building other than a facility licensed for target practice, unless possession of the firearm is necessary for the immediate defense of the child or another person; or

(c) Within an area designated by a county or municipal ordinance as a populated area for the purpose of prohibiting the discharge of weapons, unless the child is within a facility licensed for target practice.

9. For the purposes of this section, a firearm is loaded if:

- (a) There is a cartridge in the chamber of the firearm;
- (b) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver; or
- (c) There is a cartridge in the magazine and the magazine is in the firearm or there is a cartridge in the chamber, if the firearm is a semiautomatic firearm.

[1911 C&P § 345; RL § 6610; NCL § 10293]—(NRS A 1963, 3; 1991, 1154; 1995, 1152; 1997, 516, 1181)

### **NRS 202.310 Sale of firearms to minors; penalty.**

Any person in this state who sells or barter to a child who is under the age of 18 years, with reckless disregard of whether the child is under the age of 18 years, or with knowledge or reason to know that the child is under the age of 18 years, a **pistol, revolver or a firearm capable of being concealed upon the person** is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000.

[1:164:1955]—(NRS A 1995, 1154; 1997, 519, 1183)

### **NRS 202.320 Drawing deadly weapon in threatening manner.**

1. Unless a greater penalty is provided in [NRS 202.287](#), a person having, carrying or procuring from another person any dirk, dirk-knife, sword, sword cane, **pistol, gun or other deadly weapon**, who, in the presence of two or more persons, draws or exhibits any of such deadly weapons in a rude, angry or threatening manner not in necessary self-defense, or who in any manner unlawfully uses that weapon in any fight or quarrel, is guilty of a misdemeanor.

2. A sheriff, deputy sheriff, marshal, constable or other peace officer shall not be held to answer, under the provisions of subsection 1, for drawing or exhibiting any of the weapons mentioned therein while in the lawful discharge of his or her duties.

[1911 C&P § 174; RL § 6439; NCL § 10121]—(NRS A 1967, 486; 1989, 1240)

### **NRS 202.340 Confiscation and disposition of dangerous weapons by law enforcement agencies.**

1. Except as otherwise provided for firearms forfeitable pursuant to [NRS 453.301](#), when any **instrument or weapon described in [NRS 202.350](#)** is taken from the possession of any person **charged** with the commission of any public offense or crime or any child charged with committing a delinquent act, **the instrument or weapon** must be surrendered to:

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

(b) The chief administrator of a state law enforcement agency, for disposal pursuant to [NRS 333.220](#), if the possession thereof was detected by any member of the agency. In all other cases, **the instrument or weapon** must be surrendered to the sheriff of the county or the sheriff of the metropolitan police department for the county in which the instrument or weapon was taken.

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

(a) Retain the **confiscated instrument or weapon** for use by the law enforcement agency headed by the officer;

(b) Sell the **confiscated instrument or weapon** to another law enforcement agency;

(c) Destroy or direct the destruction of the **confiscated instrument or weapon** if it is not otherwise required to be destroyed pursuant to subsection 5;

(d) Trade the **confiscated instrument or weapon** to a properly licensed retailer or wholesaler in exchange for equipment necessary for the performance of the agency's duties; or

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

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

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

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

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

5. Except as otherwise provided in subsection 6, the officer to whom a [confiscated instrument or weapon](#) is surrendered pursuant to subsection 1 shall:

(a) Except as otherwise provided in paragraph (c), destroy or direct to be destroyed any [instrument or weapon](#) which is determined to be dangerous to the safety of the public.

(b) Except as otherwise provided in paragraph (c), return [any instrument or weapon](#), which has not been destroyed pursuant to paragraph (a):

(1) Upon demand, to the person from whom [the instrument or weapon](#) was confiscated if the person is acquitted of the public offense or crime of which the person was charged; or

(2) To the legal owner of the [instrument or weapon](#) if the Attorney General or the district attorney determines that the [instrument or weapon](#) was unlawfully acquired from the legal owner. If retention of the [instrument or weapon](#) is ordered or directed pursuant to paragraph (c), except as otherwise provided in paragraph (a), the [instrument or weapon](#) must be returned to the legal owner as soon as practicable after the order or direction is rescinded.

(c) Retain the confiscated [instrument or weapon](#) held by the officer pursuant to an order of a judge of a court of record or by direction of the Attorney General or district attorney that the retention is necessary for purposes of evidence, until the order or direction is rescinded.

(d) Return any [instrument or weapon](#) which was stolen to its rightful owner, unless the return is otherwise prohibited by law.

6. Before any disposition pursuant to subsection 5, the officer who is in possession of the confiscated [instrument or weapon](#) shall submit a full description of the [instrument or weapon](#) to a laboratory which provides forensic services in this State. The director of the laboratory shall determine whether [the instrument or weapon](#):

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

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

[1:93:1913; 1919 RL p. 2710; NCL § 2300] + [2:93:1913; A 1953, 546]—(NRS A 1959, 547; 1967, 1719; 1989, 12, 143, 144; 1995, 304, 1154, 1161)

### **NRS 202.350 Manufacture, importation, possession or use of dangerous weapon or silencer; carrying concealed weapon without permit; penalties; issuance of permit to carry concealed weapon; exceptions.**

1. Except as otherwise provided in this section and [NRS 202.3653](#) to [202.369](#), inclusive, a person within this State shall not:

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

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

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

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

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

(2) Machete; or

(3) [Pistol, revolver or other firearm, other dangerous or deadly weapon or pneumatic gun](#).

2. Except as otherwise provided in [NRS 202.275](#) and [212.185](#), a person who violates any of the provisions of:

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

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

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

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

3. Except as otherwise provided in this subsection, the sheriff of any county may, upon written application by a resident of that county showing the reason or the purpose for which a [concealed weapon](#) is to be carried, issue a

permit authorizing the applicant to carry in this State the **concealed weapon** described in the permit. **This subsection does not authorize the sheriff to issue a permit to a person to carry a pistol, revolver or other firearm.**

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

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

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

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

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

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

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

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

8. As used in this section:

(a) **“Concealed weapon”** means a weapon described in this section that is carried upon a person in such a manner as not to be discernible by ordinary observation.

(b) **“Honorably retired”** means retired in Nevada after completion of 10 years of creditable service as a member of the Public Employees’ Retirement System. A former peace officer is not **“honorably retired”** if he or she was discharged for cause or resigned before the final disposition of allegations of serious misconduct.

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

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

(e) **“Pneumatic gun”** has the meaning ascribed to it in [NRS 202.265](#).

(f) **“Qualified law enforcement officer”** has the meaning ascribed to it in [18 U.S.C. § 926B\(c\)](#).

(g) **“Qualified retired law enforcement officer”** has the meaning ascribed to it in [18 U.S.C. § 926C\(c\)](#).

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

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

[1:47:1925; NCL § 2302] + [3:47:1925; NCL § 2304]—(NRS A 1959, 548; 1963, 90; [1967, 486](#); [1973, 190, 900](#); [1977, 269, 880](#); [1979, 1435](#); [1985, 452, 593, 792](#); [1989, 653](#); [1995, 1207, 2726](#); [1997, 826, 1601](#); [1999, 421, 1208](#); [2001, 575](#); [2003, 1351](#); [2005, 594](#); [2015, 1587](#))

## **NRS 202.360 Ownership or possession of firearm by certain persons prohibited; penalties.**

1. A person shall not own or have in his or her possession or under his or her custody or control any **firearm** if the person:

(a) Has been convicted in this State or any other state of a **misdemeanor crime of domestic violence** as defined in [18 U.S.C. § 921\(a\)\(33\)](#);

(b) Has been **convicted of a felony** in this State or any other state, or in any political subdivision thereof, or of a felony in violation of the laws of the United States of America, unless the person has received a pardon and the pardon does not restrict his or her right to bear arms;

(c) **Is a fugitive from justice;**

(d) **Is an unlawful user of, or addicted to, any controlled substance; or**

(e) **Is otherwise prohibited by federal law from having a firearm in his or her possession or under his or her custody or control.**

↪ A person who violates the provisions of this subsection is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000.

2. A person shall not own or have in his or her possession or under his or her custody or control any **firearm** if the person:

(a) Has been **adjudicated as mentally ill or has been committed** to any mental health facility by a court of this State, any other state or the United States;

(b) Has entered a **plea of guilty but mentally ill** in a court of this State, any other state or the United States;

(c) Has been found **guilty but mentally ill** in a court of this State, any other state or the United States;

(d) Has been **acquitted by reason of insanity** in a court of this State, any other state or the United States; or

(e) **Is illegally or unlawfully in the United States.**

↪ A person who violates the provisions of this subsection is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).

3. As used in this section:

(a) “Controlled substance” has the meaning ascribed to it in 21 U.S.C. § 802(6).

(b) “**Firearm**” includes any firearm that is loaded or unloaded and operable or inoperable.

[2:47:1925; A 1955, 185] + [3:47:1925; NCL § 2304]—(NRS A 1959, 548; [1967, 487](#); [1979, 1435](#); [1983, 926](#); [1985, 453, 594](#); [1991, 72](#); [1995, 1208](#); [1997, 828](#); [2003, 1352](#); [2015, 1782, 1806](#))

## **NRS 202.362 Sale or disposal of firearm or ammunition to certain persons prohibited; penalty; exceptions.**

1. Except as otherwise provided in subsection 3, a person within this State shall not sell, transfer or otherwise dispose of any **firearm or ammunition** to another person or purchase a **firearm** on behalf of or for another person with the intent to transfer the firearm to that person if he or she has reasonable cause to believe that the other person:

(a) **Is under indictment for, or has been convicted of, a felony** in this or any other state, or in any political subdivision thereof, or of a felony in violation of the laws of the United States of America, unless the other person has received a pardon and the pardon does not restrict his or her right to bear arms;

(b) **Is prohibited from possessing a firearm pursuant to [NRS 202.360](#)**; or

(c) **Is a known member of a criminal gang** as defined in [NRS 193.168](#).

2. A person who violates the provisions of subsection 1 is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000.

3. This section does not apply to a person who sells or disposes of any **firearm or ammunition to:**

(a) A licensed importer, licensed manufacturer, licensed dealer or licensed collector who, pursuant to 18 U.S.C. § 925(b), is not precluded from dealing in firearms or ammunition; or

(b) A person who has been granted relief from the disabilities imposed by federal laws pursuant to 18 U.S.C. § 925(c) or [NRS 179A.163](#).

4. For purposes of this section, a person has “reasonable cause to believe” if, in light of all the surrounding facts and circumstances which are known or which reasonably should be known to the person at the time, a reasonable person would believe, under those facts and circumstances, that an act, transaction, event, situation or condition exists, is occurring or has occurred.

(Added to NRS by [2003, 1349](#); A [2009, 2490](#); [2015, 1807](#))

**NRS 202.3653 Definitions.** As used in [NRS 202.3653](#) to [202.369](#), inclusive, unless the context otherwise requires:

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

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

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

4. “Permit” means a permit to carry a concealed firearm issued pursuant to the provisions of [NRS 202.3653](#) to [202.369](#), inclusive.

(Added to NRS by [1995, 2721](#); A [1997, 1175](#); [1999, 850](#); [2001, 2579](#); [2005, 596](#); [2007, 3151](#); [2013, 1138](#))

## **NRS 202.3657 Application for permit; eligibility; denial or revocation of permit.**

1. Any person who is a resident of this State may apply to the sheriff of the county in which he or she resides for a permit on a form prescribed by regulation of the Department. Any person who is not a resident of this State may apply to the sheriff of any county in this State for a permit on a form prescribed by regulation of the Department. Application forms for permits must be furnished by the sheriff of each county upon request.

2. A person applying for a permit may submit one application and obtain one permit to carry all **handguns** owned by the person. The person must not be required to list and identify on the application each **handgun** owned by the person. A permit is valid for any **handgun** which is owned or thereafter obtained by the person to whom the permit is issued.

3. Except as otherwise provided in this section, the sheriff **shall issue** a permit to any person who is qualified to possess a **handgun** under state and federal law, who submits an application in accordance with the provisions of this section and who:

(a) Is 21 years of age or older;

(b) Is not prohibited from possessing a **firearm** pursuant to [NRS 202.360](#); and

(c) Demonstrates competence with **handguns** by presenting a certificate or other documentation to the sheriff which shows that the applicant:

(1) Successfully completed a course in **firearm safety** approved by a sheriff in this State; or

(2) Successfully completed a course in **firearm safety** offered by a federal, state or local law enforcement agency, community college, university or national organization that certifies instructors in **firearm safety**.

È Such a course must include instruction in the use of **handguns** and in the laws of this State relating to the use of a firearm. A sheriff may not approve a course in **firearm safety** pursuant to subparagraph (1) unless the sheriff determines that the course meets any standards that are established by the Nevada Sheriffs' and Chiefs' Association or, if the Nevada Sheriffs' and Chiefs' Association ceases to exist, its legal successor.

4. The sheriff shall deny an application or revoke a permit if the sheriff determines that the applicant or permittee:

(a) Has an outstanding warrant for his or her arrest.

(b) Has been judicially declared incompetent or insane.

(c) Has been voluntarily or involuntarily admitted to a mental health facility during the immediately preceding 5 years.

(d) Has habitually used intoxicating liquor or a controlled substance to the extent that his or her normal faculties are impaired. For the purposes of this paragraph, it is presumed that a person has so used intoxicating liquor or a controlled substance if, during the immediately preceding 5 years, the person has been:

(1) Convicted of violating the provisions of [NRS 484C.110](#); or

(2) Committed for treatment pursuant to [NRS 458.290](#) to [458.350](#), inclusive.

(e) Has been convicted of a crime involving the use or threatened use of force or violence punishable as a misdemeanor under the laws of this or any other state, or a territory or possession of the United States at any time during the immediately preceding 3 years.

(f) Has been convicted of a felony in this State or under the laws of any state, territory or possession of the United States.

(g) Has been convicted of a crime involving domestic violence or stalking, or is currently subject to a restraining order, injunction or other order for protection against domestic violence.

(h) Is currently on parole or probation from a conviction obtained in this State or in any other state or territory or possession of the United States.

(i) Has, within the immediately preceding 5 years, been subject to any requirements imposed by a court of this State or of any other state or territory or possession of the United States, as a condition to the court's:

(1) Withholding of the entry of judgment for a conviction of a felony; or

(2) Suspension of sentence for the conviction of a felony.

(j) Has made a false statement on any application for a permit or for the renewal of a permit.

5. The sheriff may deny an application or revoke a permit if the sheriff receives a sworn affidavit stating articulable facts based upon personal knowledge from any natural person who is 18 years of age or older that the applicant or permittee has or may have committed an offense or engaged in any other activity specified in subsection 4 which would preclude the issuance of a permit to the applicant or require the revocation of a permit pursuant to this section.

6. If the sheriff receives notification submitted by a court or law enforcement agency of this or any other state, the United States or a territory or possession of the United States that a permittee or an applicant for a permit has been charged with a crime involving the use or threatened use of force or violence, the conviction for which would

require the revocation of a permit or preclude the issuance of a permit to the applicant pursuant to this section, the sheriff shall suspend the person's permit or the processing of the person's application until the final disposition of the charges against the person. If a permittee is acquitted of the charges, or if the charges are dropped, the sheriff shall restore his or her permit without imposing a fee.

7. An application submitted pursuant to this section must be completed and signed under oath by the applicant. The applicant's signature must be witnessed by an employee of the sheriff or notarized by a notary public. The application must include:

(a) The name, address, place and date of birth, social security number, occupation and employer of the applicant and any other names used by the applicant;

(b) A complete set of the applicant's fingerprints taken by the sheriff or his or her agent;

(c) A front-view colored photograph of the applicant taken by the sheriff or his or her agent;

(d) If the applicant is a resident of this State, the driver's license number or identification card number of the applicant issued by the Department of Motor Vehicles;

(e) If the applicant is not a resident of this State, the driver's license number or identification card number of the applicant issued by another state or jurisdiction;

(f) A nonrefundable fee equal to the non volunteer rate charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation to obtain the reports required pursuant to subsection 1 of [NRS 202.366](#); and

(g) A nonrefundable fee set by the sheriff not to exceed \$60.

(Added to NRS by [1995, 2721](#); A [1997, 1175](#); [2001, 612, 618, 2579](#); [2003, 8, 11](#); [2007, 3151](#); [2011, 751, 1779, 3107](#); [2013, 1139](#))

### **NRS 202.366 Investigation of applicant for permit; issuance or denial of permit; expiration of permit.**

1. Upon receipt by a sheriff of an application for a permit, including an application for the renewal of a permit pursuant to [NRS 202.3677](#), the sheriff shall conduct an investigation of the applicant to determine if the applicant is eligible for a permit. In conducting the investigation, the sheriff shall forward a complete set of the applicant's fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report concerning the criminal history of the applicant. The investigation also must include a report from the National Instant Criminal Background Check System. The sheriff shall issue a permit to the applicant unless the applicant is not qualified to possess a handgun pursuant to state or federal law or is not otherwise qualified to obtain a permit pursuant to [NRS 202.3653](#) to [202.369](#), inclusive, or the regulations adopted pursuant thereto.

2. To assist the sheriff in conducting the investigation, any local law enforcement agency, including the sheriff of any county, may voluntarily submit to the sheriff a report or other information concerning the criminal history of an applicant.

3. Within 120 days after a complete application for a permit is submitted, the sheriff to whom the application is submitted shall grant or deny the application. If the application is denied, the sheriff shall send the applicant written notification setting forth the reasons for the denial. If the application is granted, the sheriff shall provide the applicant with a permit containing a colored photograph of the applicant and containing such other information as may be prescribed by the Department. The permit must be in substantially the following form:

#### NEVADA CONCEALED FIREARM PERMIT

County.....	Permit Number.....
Expires.....	Date of Birth.....
Height.....	Weight.....
Name.....	Address.....
City.....	Zip.....
	Photograph
Signature.....	
Issued by.....	
Date of Issue.....	

4. Unless suspended or revoked by the sheriff who issued the permit, a permit expires 5 years after the date on which it is issued.

5. As used in this section, “National Instant Criminal Background Check System” means the national system created by the federal Brady Handgun Violence Prevention Act, Public Law 103-159.

(Added to NRS by [1995, 2723](#); A [1999, 2094](#); [2001, 614, 620](#); [2003, 13, 2846](#); [2007, 3153](#); [2011, 754, 1781, 3109](#); [2013, 1141](#))

### **NRS 202.3662 Confidentiality of information about applicant for permit and permittee.**

1. Except as otherwise provided in this section and [NRS 202.3665](#) and [239.0115](#):

- (a) An application for a permit, and all information contained within that application;
- (b) All information provided to a sheriff or obtained by a sheriff in the course of the investigation of an applicant or permittee;
- (c) The identity of the permittee; and
- (d) Any records regarding the suspension, restoration or revocation of a permit,
  - are confidential.

2. Any records regarding an applicant or permittee may be released to a law enforcement agency for the purpose of conducting an investigation or prosecution.

3. Statistical abstracts of data compiled by a sheriff regarding permits applied for or issued pursuant to [NRS 202.3653](#) to [202.369](#), inclusive, including, but not limited to, the number of applications received and permits issued, may be released to any person.

(Added to NRS by [1997, 1174](#); A [1999, 851](#); [2007, 2077](#); [2011, 754, 3110](#))

### **NRS 202.3663 Judicial review of denial of application for permit.**

If an application for a permit is denied by a sheriff, the applicant who submitted the application may seek a judicial review of the denial by filing a petition in the district court for the county in which the applicant filed the application for a permit. A judicial review conducted pursuant to this section must be limited to a determination of whether the denial was arbitrary, capricious or otherwise characterized by an abuse of discretion and must be conducted in accordance with the procedures set forth in [chapter 233B](#) of NRS for reviewing a final decision of an agency.

(Added to NRS by 1995, 2724; A [2001, 615](#))

### **NRS 202.3665 Duties of sheriff upon receiving notification that applicant or permittee has been charged with or convicted of crime involving use or threatened use of force or violence.**

1. If a sheriff who is processing an application for a permit receives notification pursuant to [NRS 202.3657](#) that the applicant has been:

- (a) Charged with a crime involving the use or threatened use of force or violence, the sheriff shall notify any victim of the crime of the fact that the sheriff has, pursuant to [NRS 202.3657](#):
  - (1) Suspended the processing of the application until the final disposition of the charges against the applicant; or
  - (2) Resumed the processing of the application following the dropping of charges against the applicant or the acquittal of the applicant.

- (b) Convicted of a crime involving the use or threatened use of force or violence, the sheriff shall notify any victim of the crime of the fact that the sheriff has, pursuant to [NRS 202.3657](#), denied the application.

2. If a sheriff who has issued a permit to a permittee receives notification pursuant to [NRS 202.3657](#) that the permittee has been:

- (a) Charged with a crime involving the use or threatened use of force or violence, the sheriff shall notify any victim of the crime of the fact that the sheriff has, pursuant to [NRS 202.3657](#):
  - (1) Suspended the permit of the permittee until the final disposition of the charges against the permittee; or
  - (2) Restored the permit of the permittee following the dropping of charges against the permittee or the acquittal of the permittee.

- (b) Convicted of a crime involving the use or threatened use of force or violence, the sheriff shall notify any victim of the crime of the fact that the sheriff has, pursuant to [NRS 202.3657](#), revoked the permit of the permittee.

3. The sheriff shall notify a victim pursuant to subsection 1 or 2 not later than 10 days after the date on which the sheriff performs one of the actions listed in subsection 1 or 2 concerning an application or a permit.  
(Added to NRS by [1999, 850](#))

**NRS 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.  
(Added to NRS by 1995, 2724)

**NRS 202.367 Duplicate permit; notification to sheriff of recovered permit; penalty.**

1. A permittee shall notify the sheriff who issued his or her permit in writing within 30 days if the permittee's:  
(a) Permanent address changes; or  
(b) Permit is lost, stolen or destroyed.  
2. The sheriff shall issue a duplicate permit to a permittee if the permittee:  
(a) Submits a written statement to the sheriff, signed under oath, stating that his or her permit has been lost, stolen or destroyed; and  
(b) Pays a nonrefundable fee of \$15.  
3. If any permittee subsequently finds or recovers his or her permit after being issued a duplicate permit pursuant to this section, the permittee shall, within 10 days:  
(a) Notify the sheriff in writing; and  
(b) Return the duplicate permit to the sheriff.  
4. A permittee who fails to notify a sheriff pursuant to the provisions of this section is subject to a civil penalty of \$25.  
(Added to NRS by 1995, 2724)

**NRS 202.3673 Permittee authorized to carry concealed firearm while on premises of public building; exceptions; penalty.**

1. Except as otherwise provided in subsections 2 and 3, a permittee may carry a **concealed firearm** while the permittee is on the premises of any public building.  
2. A permittee shall not carry a **concealed firearm** while the permittee is on the premises of a public building that is located on the property of a public airport.  
3. A permittee shall not carry a **concealed firearm** while the permittee is on the premises of:  
(a) A public building that is located on the property of a public school or a child care facility or the property of the Nevada System of Higher Education, unless the permittee has obtained written permission to carry a **concealed firearm** while he or she is on the premises of the public building pursuant to subparagraph (3) of paragraph (a) of subsection 3 of [NRS 202.265](#).  
(b) A public building that has a metal detector at each public entrance or a sign posted at each public entrance indicating that **no firearms** are allowed in the building, unless the permittee is not prohibited from carrying a **concealed firearm** while he or she is on the premises of the public building pursuant to subsection 4.  
4. The provisions of paragraph (b) of subsection 3 do not prohibit:  
(a) A permittee who is a judge from carrying a **concealed firearm** in the courthouse or courtroom in which the judge presides or from authorizing a permittee to carry a **concealed firearm** while in the courtroom of the judge and while traveling to and from the courtroom of the judge.  
(b) A permittee who is a prosecuting attorney of an agency or political subdivision of the United States or of this State from carrying a **concealed firearm** while he or she is on the premises of a public building.  
(c) A permittee who is employed in the public building from carrying a **concealed firearm** while he or she is on the premises of the public building.

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

5. A person who violates subsection 2 or 3 is guilty of a misdemeanor.

6. As used in this section:

(a) “Child care facility” has the meaning ascribed to it in paragraph (a) of subsection 5 of [NRS 202.265](#).

(b) “Public building” means any building or office space occupied by:

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

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

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

(Added to NRS by 1995, 2725; A [1997, 63](#); [1999, 2767](#); [2007, 1914](#))

### **NRS 202.3677 Application for renewal of permit; fees; demonstrated continued competence required.**

1. If a permittee wishes to renew his or her permit, the permittee must:

(a) Complete and submit to the sheriff who issued the permit an application for renewal of the permit; and

(b) Undergo an investigation by the sheriff pursuant to [NRS 202.366](#) to determine if the permittee is eligible for a permit.

2. An application for the renewal of a permit must:

(a) Be completed and signed under oath by the applicant;

(b) Contain a statement that the applicant is eligible to receive a permit pursuant to [NRS 202.3657](#);

(c) Be accompanied by a nonrefundable fee equal to the non volunteer rate charged by the **Central Repository for Nevada Records of Criminal History** and the Federal Bureau of Investigation to obtain the reports required pursuant to subsection 1 of [NRS 202.366](#); and

(d) Be accompanied by a nonrefundable fee of \$25.

➤ If a permittee fails to renew his or her permit on or before the date of expiration of the permit, the application for renewal must include an additional nonrefundable late fee of \$15.

3. No permit may be renewed pursuant to this section unless the permittee has **demonstrated continued competence with handguns** by successfully completing a course prescribed by the sheriff renewing the permit.

(Added to NRS by [1995, 2725](#); A [2007, 3154](#); [2011, 755](#), [1782](#), [3110](#); [2013, 1142](#))

### **NRS 202.3678 Application for certification as qualified retired law enforcement officer; law enforcement agency required to offer certain officers opportunity to obtain qualifications necessary for certification; fees.**

1. A retired law enforcement officer who is a resident of this State may apply, on a form prescribed by regulation of the Department, to the sheriff of the county in which he or she resides for any certification required pursuant to [18 U.S.C. § 926C\(d\)](#) to become a qualified retired law enforcement officer. Application forms for certification must be provided by the sheriff of each county upon request.

2. A law enforcement agency in this State shall offer a retired law enforcement officer who retired from the law enforcement agency the opportunity to obtain the **firearms qualification** that is necessary to obtain the certification from the sheriff pursuant to subsection 1 at least twice per year at the same facility at which the law enforcement agency provides **firearms training** for its active law enforcement officers. The law enforcement agency may impose a nonrefundable fee in the amount necessary to pay the expenses for providing the **firearms qualification**.

3. The sheriff shall provide the certification pursuant to subsection 1 to a retired law enforcement officer who submits a completed application and pays any fee required pursuant to this subsection if the sheriff determines that the officer meets the standards for training and qualifications. The sheriff may impose a nonrefundable fee in the amount necessary to pay the expenses in providing the certification.

4. As used in this section:

(a) “Law enforcement agency” has the meaning ascribed to it in [NRS 239C.065](#).

(b) “Qualified retired law enforcement officer” has the meaning ascribed to it in [18 U.S.C. § 926C](#).

(Added to NRS by [2005, 593](#); A [2009, 563](#))

### **NRS 202.368 Fees to be deposited with county treasurer.**

All fees collected pursuant to the provisions of [NRS 202.3653](#) to [202.369](#), inclusive, must be deposited with the county treasurer of the county in which the fees are collected and:

1. If the county has a metropolitan police department created pursuant to [chapter 280](#) of NRS, credited to the general fund of that metropolitan police department; or
2. If the county does not have a metropolitan police department created pursuant to [chapter 280](#) of NRS, credited to the general fund of that county.

(Added to NRS by 1995, 2725; A [2005, 596](#))

### **NRS 202.3683 Immunity of state and local governments from civil liability.**

The State or any political subdivision of the State, the Department, a sheriff, law enforcement agency, firearm safety or training instructor or any other person who, in good faith and without gross negligence, acts pursuant to the provisions of [NRS 202.3653](#) to [202.369](#), inclusive, is immune from civil liability for those acts. Such acts include, but are not limited to, the receipt, review or investigation of an application for a permit, the certification of a retired law enforcement officer, or the issuance, denial, suspension, revocation or renewal of a permit.

(Added to NRS by 1995, 2725; A [2005, 596](#))

### **NRS 202.3687 Temporary permits.**

1. The provisions of [NRS 202.3653](#) to [202.369](#), inclusive, do not prohibit a sheriff from issuing a temporary permit. A temporary permit may include, but is not limited to, provisions specifying the period for which the permit is valid.
2. Each sheriff who issues a permit pursuant to the provisions of [NRS 202.3653](#) to [202.369](#), inclusive, shall provide such information concerning the permit and the person to whom it is issued to the Central Repository for Nevada Records of Criminal History.

(Added to NRS by 1995, 2726; A [1999, 2095](#); [2007, 3154](#))

### **NRS 202.3688 Circumstances in which holder of permit issued by another state may carry concealed firearm in this State; holder of permit issued by another state subject to same restrictions and requirements as holder of permit issued 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.**

(Added to NRS by [2007, 3150](#); A [2015, 1783](#))

### **NRS 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.
- (Added to NRS by [2007, 3150](#); A [2015, 1783, 2691](#))

### **NRS 202.369 Regulations.**

The Department may adopt such regulations as are necessary to carry out the provisions of [NRS 202.3653](#) to [202.369](#), inclusive. Added to NRS by 1995, 2726; A [2005, 596](#)

### **NRS 202.370 Definitions.**

As used in [NRS 202.370](#) to [202.440](#), inclusive:

1. "Shell," "cartridge" or "bomb" includes all shells, cartridges or bombs capable of being discharged or exploded, when such discharge or explosions will cause or permit the release or emission of tear gas.
2. "Tear gas" includes all liquid, gaseous or solid substances intended to produce temporary physical discomfort or permanent injury through being vaporized or otherwise dispersed in the air. The term does not include a liquid, gaseous or solid substance whose active ingredient is composed of natural substances or products derived from natural substances which cause no permanent injury through being vaporized or otherwise dispersed in the air.
3. "Weapon designed for the use of such shell, cartridge or bomb" includes all revolvers, pistols, fountain pen guns, billies, riot guns or other form of device, portable or fixed, intended for the projection or release of tear gas except those regularly manufactured and sold for use with firearm ammunition.

[2:273:1955]—(NRS A 1977, 887; 1981, 2051)

### **NRS 202.450 Definition.**

1. A public nuisance is a crime against the order and economy of the State.
2. Every place:
  - (a) Wherein any gambling, bookmaking or pool selling is conducted without a license as provided by law, or wherein any swindling game or device, or bucket shop, or any agency therefor is conducted, or any article, apparatus or device useful therefor is kept;
  - (b) Wherein any fighting between animals or birds is conducted;
  - (c) Wherein any dog races are conducted as a gaming activity;
  - (d) Wherein any intoxicating liquors are kept for unlawful use, sale or distribution;
  - (e) Wherein a controlled substance, immediate precursor or controlled substance analog is unlawfully sold, served, stored, kept, manufactured, used or given away;
  - (f) That is regularly and continuously used by the members of a criminal gang to engage in, or facilitate the commission of, crimes by the criminal gang; or
  - (g) Where vagrants resort,
    - is a public nuisance.
3. Every act unlawfully done and every omission to perform a duty, which act or omission:
  - (a) Annoys, injures or endangers the safety, health, comfort or repose of any considerable number of persons;
  - (b) Offends public decency;
  - (c) Unlawfully interferes with, befouls, obstructs or tends to obstruct, or renders dangerous for passage, a lake, navigable river, bay, stream, canal, ditch, millrace or basin, or a public park, square, street, alley, bridge, causeway or highway; or
  - (d) In any way renders a considerable number of persons insecure in life or the use of property,
    - is a public nuisance.
4. A building or place which was used for the purpose of unlawfully manufacturing a controlled substance, immediate precursor or controlled substance analog is a public nuisance if the building or place has not been deemed safe for habitation by the board of health and:
  - (a) The owner of the building or place allows the building or place to be used for any purpose before all materials or substances involving the controlled substance, immediate precursor or controlled substance analog have been removed from or remediated on the building or place by an entity certified or licensed to do so; or

(b) The owner of the building or place fails to have all materials or substances involving the controlled substance, immediate precursor or controlled substance analog removed from or remediated on the building or place by an entity certified or licensed to do so within 180 days after the building or place is no longer used for the purpose of unlawfully manufacturing a controlled substance, immediate precursor or controlled substance analog.

5. Agricultural activity conducted on farmland consistent with good agricultural practice and established before surrounding nonagricultural activities is not a public nuisance unless it has a substantial adverse effect on the public health or safety. It is presumed that an agricultural activity which does not violate a federal, state or local law, ordinance or regulation constitutes good agricultural practice.

6. A shooting range is not a public nuisance with respect to any noise attributable to the shooting range if the shooting range is in compliance with the provisions of all applicable statutes, ordinances and regulations concerning noise:

(a) As those provisions existed on October 1, 1997, for a shooting range that begins operation on or before October 1, 1997; or

(b) As those provisions exist on the date that the shooting range begins operation, for a shooting range in operation after October 1, 1997.

□ A shooting range is not subject to any state or local law related to the control of noise that is adopted or amended after the date set forth in paragraph (a) or (b), as applicable, and does not constitute a nuisance for failure to comply with any such law.

7. As used in this section:

(a) “Board of health” has the meaning ascribed to it in [NRS 439.4797](#).

(b) “Controlled substance analog” has the meaning ascribed to it in [NRS 453.043](#).

(c) “Criminal gang” has the meaning ascribed to it in [NRS 193.168](#).

(d) “Immediate precursor” has the meaning ascribed to it in [NRS 453.086](#).

(e) “Shooting range” has the meaning ascribed to it in [NRS 40.140](#).

[1911 C&P § 296; A 1941, 64; 1949, 143; 1943 NCL § 10244]—(NRS A 1973, 463; 1977, 1039; 1985, 874; [1997, 951, 1472, 1473, 3129; 1999, 641; 2007, 3129; 2009, 827, 1311](#))

**NRS 202.540 Dangerous exhibitions.** Every proprietor, lessee or occupant of any place of amusement, plat of ground or building, who shall allow it to be used for an exhibition of skill in throwing any sharp instrument or in [shooting any bow gun, pistol or firearm of any description, at or toward any human being](#), shall be guilty of a misdemeanor.

[1911 C&P § 325; RL § 6590; NCL § 10273]

**NRS 202.750 “Explosive” defined.** As used in [NRS 202.750](#) to [202.840](#), inclusive, the term “explosive” means:

1. [Gunpowders](#), powders used for blasting, all forms of high explosives, blasting materials, fuses (other than electric circuit breakers), detonators and other detonating agents, smokeless powders, other explosive or incendiary devices and any chemical compounds, mechanical mixtures or device that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities or packing that ignition by fire, by friction, by concussion, by percussion, or by detonation of the compound, mixture or device or any part thereof may cause an explosion; or

2. Any explosive material included in the list of explosive materials published in the Federal Register and revised annually by the Attorney General of the United States pursuant to 18 U.S.C. §§ 841 et seq.

(Added to NRS by [1971, 1280](#); A [2009, 21](#))

**NRS 202.760 Shipment or receipt of explosives by certain persons unlawful.** It is unlawful for any person:

1. Who is under indictment for, or has been convicted in any court of, a crime relating to the practice of shipping or transporting explosives that is punishable by imprisonment for a term exceeding 1 year;

2. Who is a fugitive from justice;

3. Who is an unlawful user of or addicted to any depressant or stimulant drug or any controlled substance; or

4. Who has been judicially declared mentally ill or who has been committed to a hospital as mentally ill,

↳ to ship or transport any explosive within the State or to receive any explosive which has been shipped or transported within the State.

(Added to NRS by [1971, 1280](#); A [1973, 26](#); [1987, 1548](#); [2003, 2691](#))

**NRS 202.790 Authorized transportation or receipt of explosives for lawful purpose not prohibited.** Nothing in [NRS 202.760](#) to [202.790](#), inclusive, shall be construed to prevent any person from transporting or receiving any explosive pursuant to any authority granted by the Federal Government or this state or for any lawful purpose.

(Added to NRS by [1971, 1281](#))

### **NRS 203.080 Armed association.**

1. It shall be unlawful for anybody of individuals other than municipal police, university or public school cadets or companies, militia of the State or troops of the United States, **to associate themselves together as a military company with arms without the consent of the Governor**; but members of social and benevolent associations are not prohibited from wearing swords.

2. Every person who shall associate with others in violation of this section shall be guilty of a misdemeanor.

[1911 C&P § 339; RL § 6604; NCL § 10287]—(NRS A 1967, 1341)

### **NRS 205.060 Burglary: Definition; penalties; venue.**

1. Except as otherwise provided in subsection 5, a person who, by day or night, enters any house, room, apartment, tenement, shop, warehouse, store, mill, barn, stable, outhouse or other building, tent, vessel, vehicle, vehicle trailer, semitrailer or house trailer, airplane, glider, boat or railroad car, with the intent to commit grand or petit larceny, assault or battery on any person or any felony, or to obtain money or property by false pretenses, is guilty of burglary.

2. Except as otherwise provided in this section, a person convicted of burglary is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. A person who is convicted of burglary and who has previously been convicted of burglary or another crime involving the forcible entry or invasion of a dwelling must not be released on probation or granted a suspension of sentence.

3. Whenever a burglary is committed on a vessel, vehicle, vehicle trailer, semitrailer, house trailer, airplane, glider, boat or railroad car, in motion or in rest, in this State, and it cannot with reasonable certainty be ascertained in what county the crime was committed, the offender may be arrested and tried in any county through which the vessel, vehicle, vehicle trailer, semitrailer, house trailer, airplane, glider, boat or railroad car traveled during the time the burglary was committed.

4. A person convicted of burglary who has in his or her possession or gains possession of any **firearm or deadly weapon** at any time during the commission of the crime, at any time before leaving the structure or upon leaving the structure, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$10,000.

5. The crime of burglary does not include the act of entering a commercial establishment during business hours with the intent to commit petit larceny unless the person has previously been convicted:

(a) Two or more times for committing petit larceny within the immediately preceding 7 years; or

(b) Of a felony.

[1911 C&P § 369; A 1953, 31] — (NRS A [1967, 494](#); [1968, 45](#); [1971, 1161](#); [1979, 1440](#); [1981, 551](#); [1983, 717](#); [1989, 1207](#); [1995, 1215](#); [2005, 416](#); [2013, 2987](#))

### **NRS 205.067 Invasion of the home: Definition; penalties; venue.**

1. A person who, by day or night, forcibly enters an inhabited dwelling without permission of the owner, resident or lawful occupant, whether or not a person is present at the time of the entry, is guilty of invasion of the home.

2. A person convicted of invasion of the home is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. A person who is convicted of invasion of the home and who has previously been convicted of burglary or invasion of the home must not be released on probation or granted a suspension of sentence.

3. Whenever an invasion of the home is committed on a vessel, vehicle, vehicle trailer, semitrailer, house trailer, airplane, glider, boat or railroad car, in motion or in rest, in this State, and it cannot with reasonable certainty be ascertained in what county the crime was committed, the offender may be arrested and tried in any county through which the conveyance, vessel, boat, vehicle, house trailer, travel trailer, motor home or railroad car traveled during the time the invasion was committed.

4. A person convicted of invasion of the home who has in his or her possession or gains possession of any firearm or deadly weapon at any time during the commission of the crime, at any time before leaving the structure or upon leaving the structure, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$10,000.

5. As used in this section:

(a) "Forcibly enters" means the entry of an inhabited dwelling involving any act of physical force resulting in damage to the structure.

(b) "Inhabited dwelling" means any structure, building, house, room, apartment, tenement, tent, conveyance, vessel, boat, vehicle, house trailer, travel trailer, motor home or railroad car in which the owner or other lawful occupant resides.

(Added to NRS by 1989, 1452; A 1995, 1215)

### **NRS 205.226 Grand larceny of firearm; penalty.**

1. A person who intentionally steals, takes and carries away a firearm owned by another person commits grand larceny of a firearm.

2. A person who commits grand larceny of a firearm is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000.

3. In addition to any other penalty, the court shall order the person who committed the grand larceny of the firearm to pay restitution.

(Added to NRS by [1997, 340](#))

### **NRS 207.200 Unlawful trespass upon land; warning against trespassing.**

1. Unless a greater penalty is provided pursuant to [NRS 200.603](#), any person who, under circumstances not amounting to a burglary:

(a) Goes upon the land or into any building of another with intent to vex or annoy the owner or occupant thereof, or to commit any unlawful act; or

(b) Willfully goes or remains upon any land or in any building after having been warned by the owner or occupant thereof not to trespass, is guilty of a misdemeanor. The meaning of this subsection is not limited by subsections 2 and 4.

2. A sufficient warning against trespassing, within the meaning of this section, is given by any of the following methods:

(a) If the land is used for agricultural purposes or for herding or grazing livestock, by painting with fluorescent orange paint:

(1) Not less than 50 square inches of the exterior portion of a structure or natural object or the top 12 inches of the exterior portion of a post, whether made of wood, metal or other material, at:

(I) Intervals of such a distance as is necessary to ensure that at least one such structure, natural object or post would be within the direct line of sight of a person standing next to another such structure, natural object or post, but at intervals of not more than 1,000 feet; and

(II) Each corner of the land, upon or near the boundary; and

(2) Each side of all gates, cattle guards and openings that are designed to allow human ingress to the area;

(b) If the land is not used in the manner specified in paragraph (a), by painting with fluorescent orange paint not less than 50 square inches of the exterior portion of a structure or natural object or the top 12 inches of the exterior portion of a post, whether made of wood, metal or other material, at:

(1) Intervals of such a distance as is necessary to ensure that at least one such structure, natural object or post would be within the direct line of sight of a person standing next to another such structure, natural object or post, but at intervals of not more than 200 feet; and

(2) Each corner of the land, upon or near the boundary;

(c) Fencing the area; or

(d) By the owner or occupant of the land or building making an oral or written demand to any guest to vacate the land or building.

3. It is prima facie evidence of trespass for any person to be found on private or public property which is posted or fenced as provided in subsection 2 without lawful business with the owner or occupant of the property.

4. An entryman on land under the laws of the United States is an owner within the meaning of this section.

5. As used in this section:

(a) "Fence" means a barrier sufficient to indicate an intent to restrict the area to human ingress, including, but not limited to, a wall, hedge or chain link or wire mesh fence. The term does not include a barrier made of barbed wire.

(b) "Guest" means any person entertained or to whom hospitality is extended, including, but not limited to, any person who stays overnight. The term does not include a tenant as defined in [NRS 118A.170](#).

[1911 C&P § 500; RL § 6765; NCL § 10447]—(NRS A 1969, 96; 1975, 1169; 1987, 2086; 1989, 997; [2005, 930](#); [2007, 981](#); [2009, 141](#))

### **NRS 207.360 "Crime related to racketeering" defined.**

1. Murder;
2. Manslaughter, except vehicular manslaughter as described in [NRS 484B.657](#);
3. Mayhem;
4. Battery which is punished as a felony;
5. Kidnapping;
6. Sexual assault;
7. Arson;
8. Robbery;
9. Taking property from another under circumstances not amounting to robbery;
10. Extortion;
11. Statutory sexual seduction;
12. Extortionate collection of debt in violation of [NRS 205.322](#);
13. Forgery;
14. Any violation of [NRS 199.280](#) which is punished as a felony;
15. Burglary;
16. Grand larceny;
17. Bribery or asking for or receiving a bribe in violation of [chapter 197](#) or [199](#) of NRS which is punished as a felony;
18. Battery with intent to commit a crime in violation of [NRS 200.400](#);
19. [Assault with a deadly weapon](#);
20. Any violation of [NRS 453.232](#), [453.316](#) to [453.3395](#), inclusive, except a violation of [NRS 453.3393](#), or [NRS 453.375](#) to [453.401](#), inclusive;
21. Receiving or transferring a stolen vehicle;
22. Any violation of [NRS 202.260](#), [202.275](#) or [202.350](#) which is punished as a felony;
23. Any violation of subsection 2 or 3 of [NRS 463.360](#) or [chapter 465](#) of NRS;
24. Receiving, possessing or withholding stolen goods valued at \$650 or more;
25. Embezzlement of money or property valued at \$650 or more;
26. Obtaining possession of money or property valued at \$650 or more, or obtaining a signature by means of false pretenses;
27. Perjury or subornation of perjury;
28. Offering false evidence;
29. Any violation of [NRS 201.300](#), [201.320](#) or [201.360](#);
30. Any violation of [NRS 90.570](#), [91.230](#) or [686A.290](#), or insurance fraud pursuant to [NRS 686A.291](#);

31. Any violation of [NRS 205.506](#), [205.920](#) or [205.930](#);
  32. Any violation of [NRS 202.445](#) or [202.446](#);
  33. Any violation of [NRS 205.377](#);
  34. Involuntary servitude in violation of any provision of [NRS 200.463](#) or [200.464](#) or a violation of any provision of [NRS 200.465](#); or
  35. Trafficking in persons in violation of any provision of [NRS 200.467](#) or [200.468](#).
- (Added to NRS by [1983, 1495](#); A [1989, 18, 160](#); [1991, 124, 161](#); [1997, 493](#); [1999, 2642](#); [2001, 1100](#); [2003, 2951](#); [2005, 79](#); [2009, 144](#); [2011, 173](#); [2013, 2434, 3697](#))

### **NRS 212.185 Possession or control of dangerous weapon or facsimile by incarcerated person prohibited.**

1. A person who is incarcerated in the state prison or any county or city jail or detention facility or other correctional facility in this State, or is transferred for medical or psychiatric treatment at another institution, or is in transit to or from such facility, or is in the legal custody of any correctional officer or employee, and who possesses or has in his or her custody or control any:

- (a) Instrument or weapon of the kind commonly known as a blackjack, slingshot, billy, sand-club, sandbag or metal knuckles;
- (b) Explosive substance, including **fixed ammunition**, or any incendiary or explosive device;
- (c) Dirk, dagger, switchblade knife or sharp instrument;
- (d) **Pistol, revolver or other firearm**;
- (e) **Facsimile of a firearm or an explosive**;
- (f) **Device capable of propelling a projectile with sufficient force to cause bodily harm, including, but not limited to, a pellet gun, slingshot, blowgun, crossbow or bow and arrow**; or
- (g) **Other similar weapon, instrument or device**,

is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years.

2. For the purposes of this section, incarceration begins upon assignment to a cell or other place within the correctional facility after completion of the initial booking procedure.

(Added to NRS by 1977, 269; A 1985, 596; 1989, 1177; 1995, 1257)

### **NRS 213.090 Pardon: Restoration of civil rights; relieved of disabilities; limitations.**

1. A person who is granted a full, unconditional pardon by the Board is restored to all civil rights, including, without limitation, **the right to bear arms**, and is relieved of all disabilities incurred upon conviction.

2. A pardon granted by the Board shall be deemed to be a full, unconditional pardon unless the official document issued pursuant to subsection 3 explicitly limits the restoration of the civil rights of the person or does not relieve the person of all disabilities incurred upon conviction.

3. Upon being granted a pardon by the Board, a person so pardoned must be given an official document which provides that the person has been granted a pardon. If the person is restored to the **right to bear arms**, the official document must explicitly state that the person is restored to the **right to bear arms**. If the person has not been granted a full, unconditional pardon, the official document must explicitly state all limitations on the restoration of the civil rights of the person and all disabilities incurred upon conviction from which the person is not relieved.

4. A person who has been granted a pardon in this State or elsewhere and whose official documentation of his or her pardon is lost, damaged or destroyed may file a written request with a court of competent jurisdiction to restore his or her civil rights pursuant to this section. Upon verification that the person has been granted a pardon and is eligible to be restored to his or her civil rights, the court shall issue an order restoring the person to his or her civil rights. A person must not be required to pay a fee to receive such an order.

5. A person who has been granted a pardon in this State or elsewhere may present:

- (a) Official documentation of his or her pardon; or
- (b) A court order restoring his or her civil rights,  
 as proof that the person has been restored to his or her civil rights.

[Part 5:149:1933; 1931 NCL § 11573]—(NRS A 1973, 1845; 1977, 665; [2001, 1696](#); [2003, 2692](#); [2005, 2907](#); [2011, 24](#))

### **NRS 213.10985 Seizure, custody, use and sale of dangerous instrument or weapon.**

1. A parole or probation officer shall immediately deliver to the Division any seized, abandoned or unclaimed instrument or **weapon described in NRS 202.350** which the parole or probation officer obtains in the pursuance of his or her duty, unless the parole or probation officer is required to retain it as evidence pursuant to a court order or directive of the Attorney General or a district attorney. Property retained as evidence must be placed in a secured locker for evidence at a law enforcement agency in this state and when released from evidence must be immediately delivered to the Division.

2. The Division shall:

(a) Destroy or direct to be **destroyed the instrument or weapon** if it is determined to be dangerous to the safety of the public.

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

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

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

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

(a) **Retain the instrument or weapon for official use by the Division.**

(b) **Deliver the instruments and weapons to another custodial officer of the Division to be sold.**

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

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

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

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

6. The Division shall keep accurate records of all instruments and weapons governed by this section.

(Added to NRS by 1981, 371; A 1993, 1525)

### **NRS 244.364 Limited authority to regulate firearms; restrictions concerning registration of certain firearms in **county** whose population is 700,000 or more.**

1. The Legislature hereby declares that:

(a) The purpose of this section is to establish state control over the regulation of and policies concerning firearms, firearm accessories and ammunition to ensure that such regulation and policies are uniform throughout this State and to ensure the protection of the right to keep and bear arms, which is recognized by the United States Constitution and the Nevada Constitution.

(b) The regulation of the transfer, sale, purchase, possession, carrying, ownership, transportation, storage, registration and licensing of firearms, firearm accessories and ammunition in this State and the ability to define such terms is within the exclusive domain of the Legislature, and any other law, regulation, rule or ordinance to the contrary is null and void.

(c) This section must be liberally construed to effectuate its purpose.

2. Except as otherwise provided by specific statute, the Legislature reserves for itself such rights and powers as are necessary to regulate the transfer, sale, purchase, possession, carrying, ownership, transportation, storage, registration and licensing of firearms, firearm accessories and ammunition in Nevada and to define such terms. No county may infringe upon those rights and powers.

3. A board of county commissioners may proscribe by ordinance or regulation the unsafe discharge of firearms.

4. Any ordinance or regulation which is inconsistent with this section or which is designed to restrict or prohibit the sale, purchase, transfer, manufacture or display of firearms, firearm accessories or ammunition that is

otherwise lawful under the laws of this State is null and void, and any official action taken by an employee or agent of a county in violation of this section is void.

5. A board of county commissioners shall repeal any ordinance or regulation described in subsection 4, and any such ordinance or regulation that is posted within the county must be removed.

6. A board of county commissioners shall cause to be destroyed any ownership records of firearms owned by private persons which are kept or maintained by the county or any county agency, board or commission, including, without limitation, any law enforcement agency, for the purposes of compliance with any ordinance or regulation that is inconsistent with this section. The provisions of this subsection do not apply to the ownership records of firearms purchased and owned by any political subdivision of this State.

7. Any person who is adversely affected by the enforcement of an ordinance or regulation that violates this section on or after October 1, 2015, may file suit in the appropriate court for declaratory and injunctive relief and damages attributable to the violation. Notwithstanding any other provision of law, such a person is entitled to:

(a) Reimbursement of actual damages, reasonable attorney's fees and costs which the person has incurred if, within 30 days after the person commenced the action but before a final determination has been issued by the court, the board of county commissioners repeals the ordinance or regulation that violates this section.

(b) Liquidated damages in an amount equal to two times the actual damages, reasonable attorney's fees and costs incurred by the person if, more than 30 days after the person commenced the action but before a final determination has been issued by the court, the board of county commissioners repeals the ordinance or regulation that violates this section.

(c) Liquidated damages in an amount equal to three times the actual damages, reasonable attorney's fees and costs incurred by the person if the court makes a final determination in favor of the person.

8. This section must not be construed to prevent:

(a) A law enforcement agency or correctional institution from promulgating and enforcing its own rules pertaining to firearms, firearm accessories or ammunition that are issued to or used by peace officers in the course of their official duties.

(b) A court or administrative law judge from hearing and resolving a case or controversy or issuing an opinion or order on a matter within its jurisdiction.

(c) A public employer from regulating or prohibiting the carrying or possession of firearms, firearm accessories or ammunition during or in the course of an employee's official duties.

(d) The enactment or enforcement of a county zoning or business ordinance which is generally applicable to businesses within the county and thereby affects a firearms business within the county, including, without limitation, an indoor or outdoor shooting range.

(e) A county from enacting and enforcing rules for the operation and use of any firearm range owned and operated by the county.

(f) A political subdivision from sponsoring or conducting a firearm-related competition or educational or cultural program and enacting and enforcing rules for participation in or attendance at any such competition or program.

(g) A political subdivision or any official thereof with appropriate authority from enforcing any statute of this State.

9. As used in this section:

(a) "Ammunition" includes, without limitation, fixed cartridge ammunition and the individual components thereof, shotgun shells and the individual components thereof, projectiles for muzzle-loading firearms and any propellant used in firearms or ammunition.

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

(c) "Firearm accessories" means:

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

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

(d) "Person" includes, without limitation:

(1) Any person who has standing to bring or maintain an action concerning this section pursuant to the laws of this State.

(2) Any person who:

- (I) Can legally possess a firearm under state and federal law;
  - (II) Owns, possesses, stores, transports, carries or transfers firearms, ammunition or ammunition components within a county; and
  - (III) Is subject to the county ordinance or regulation at issue.
- (3) A membership organization whose members include a person described in subparagraphs (1) and (2) and which is dedicated in whole or in part to protecting the legal, civil or constitutional rights of its members.
- (e) "Political subdivision" includes, without limitation, a state agency, county, city, town or school district.
  - (f) "Public employer" has the meaning ascribed to it in [NRS 286.070](#).
- (Added to NRS by [1989, 652](#); A [2007, 1289](#); [2011, 1109](#); [2015, 1784, 1808, 2691](#))

**NRS 268.418 Limited authority to regulate firearms; restrictions concerning registration of firearms in city in county whose population is 700,000 or more.**

1. The Legislature hereby declares that:
  - (a) The purpose of this section is to establish state control over the regulation of and policies concerning firearms, firearm accessories and ammunition to ensure that such regulation and policies are uniform throughout this State and to ensure the protection of the right to bear arms, which is recognized by the United States Constitution and the Nevada Constitution.
  - (b) The regulation of the transfer, sale, purchase, possession, carrying, ownership, transportation, storage, registration and licensing of firearms, firearm accessories and ammunition in this State and the ability to define such terms is within the exclusive domain of the Legislature, and any other law, regulation, rule or ordinance to the contrary is null and void.
  - (c) This section must be liberally construed to effectuate its purpose.
2. Except as otherwise provided by specific statute, the Legislature reserves for itself such rights and powers as are necessary to regulate the transfer, sale, purchase, possession, carrying, ownership, transportation, storage, registration and licensing of firearms, firearm accessories and ammunition in Nevada and to define such terms. No city may infringe upon those rights and powers.
3. The governing body of a city may proscribe by ordinance or regulation the unsafe discharge of firearms.
4. Any ordinance or regulation which is inconsistent with this section or which is designed to restrict or prohibit the sale, purchase, transfer, manufacture or display of firearms, firearm accessories or ammunition that is otherwise lawful under the laws of this State is null and void, and any official action taken by an employee or agent of a city in violation of this section is void.
5. The governing body of a city shall repeal any ordinance or regulation described in subsection 4, and any such ordinance or regulation that is posted within the city must be removed.
6. The governing body of a city shall cause to be destroyed any ownership records of firearms owned by private persons which are kept or maintained by the city or any city agency, board or commission, including, without limitation, any law enforcement agency, for the purposes of compliance with any ordinance or regulation that is inconsistent with this section. The provisions of this subsection do not apply to the ownership records of firearms purchased and owned by any political subdivision of this State.
7. Any person who is adversely affected by the enforcement of an ordinance or regulation that violates this section on or after October 1, 2015, may file suit in the appropriate court for declaratory and injunctive relief and damages attributable to the violation. Notwithstanding any other provision of law, such a person is entitled to:
  - (a) Reimbursement of actual damages, reasonable attorney's fees and costs which the person has incurred if, within 30 days after the person commenced the action but before a final determination has been issued by the court, the governing body of the city repeals the ordinance or regulation that violates this section.
  - (b) Liquidated damages in an amount equal to two times the actual damages, reasonable attorney's fees and costs incurred by the person if, more than 30 days after the person commenced the action but before a final determination has been issued by the court, the governing body of the city repeals the ordinance or regulation that violates this section.
  - (c) Liquidated damages in an amount equal to three times the actual damages, reasonable attorney's fees and costs incurred by the person if the court makes a final determination in favor of the person.
8. This section must not be construed to prevent:
  - (a) A law enforcement agency or correctional institution from promulgating and enforcing its own rules pertaining to firearms, firearm accessories or ammunition that are issued to or used by peace officers in the course of their official duties.

(b) A court or administrative law judge from hearing and resolving a case or controversy or issuing an opinion or order on a matter within its jurisdiction.

(c) A public employer from regulating or prohibiting the carrying or possession of firearms, firearm accessories or ammunition during or in the course of an employee's official duties.

(d) The enactment or enforcement of a city zoning or business ordinance which is generally applicable to businesses within the city and thereby affects a firearms business within the city, including, without limitation, an indoor or outdoor shooting range.

(e) A city from enacting and enforcing rules for the operation and use of any firearm range owned and operated by the city.

(f) A political subdivision from sponsoring or conducting a firearm-related competition or educational or cultural program and enacting and enforcing rules for participation in or attendance at any such competition or program.

(g) A political subdivision or any official thereof with appropriate authority from enforcing any statute of this State.

9. As used in this section:

(a) "Ammunition" includes, without limitation, fixed cartridge ammunition and the individual components thereof, shotgun shells and the individual components thereof, projectiles for muzzle-loading firearms and any propellant used in firearms or ammunition.

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

(c) "Firearm accessories" means:

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

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

(d) "Person" includes, without limitation:

(1) Any person who has standing to bring or maintain an action concerning this section pursuant to the laws of this State.

(2) Any person who:

(I) Can legally possess a firearm under state and federal law;

(II) Owns, possesses, stores, transports, carries or transfers firearms, ammunition or ammunition components within a city; and

(III) Is subject to the city ordinance or regulation at issue.

(3) A membership organization whose members include a person described in subparagraphs (1) and (2) and which is dedicated in whole or in part to protecting the legal, civil or constitutional rights of its members.

(e) "Political subdivision" includes, without limitation, a state agency, county, city, town or school district.

(f) "Public employer" has the meaning ascribed to it in [NRS 286.070](#).

(Added to NRS by [1989, 652](#); A [2007, 1289](#); [2011, 1159](#); [2015, 1787](#), [1810](#), [2694](#))

## **NRS 269.222 Limited authority to regulate firearms; restrictions concerning registration of firearms in town in county whose population is 700,000 or more.**

1. The Legislature hereby declares that:

(a) The purpose of this section is to establish state control over the regulation of and policies concerning firearms, firearm accessories and ammunition to ensure that such regulation and policies are uniform throughout this State and to ensure the protection of the right to keep and bear arms, which is recognized by the United States Constitution and the Nevada Constitution.

(b) The regulation of the transfer, sale, purchase, possession, carrying, ownership, transportation, storage, registration and licensing of firearms, firearm accessories and ammunition in this State and the ability to define such terms is within the exclusive domain of the Legislature, and any other law, regulation, rule or ordinance to the contrary is null and void.

(c) This section must be liberally construed to effectuate its purpose.

2. Except as otherwise provided by specific statute, the Legislature reserves for itself such rights and powers as are necessary to regulate the transfer, sale, purchase, possession, carrying, ownership, transportation, storage, registration and licensing of firearms, firearm accessories and ammunition in Nevada and to define such terms. No town may infringe upon those rights and powers.

3. A town board may proscribe by ordinance or regulation the unsafe discharge of firearms.

4. Any ordinance or regulation which is inconsistent with this section or which is designed to restrict or prohibit the sale, purchase, transfer, manufacture or display of firearms, firearm accessories or ammunition that is otherwise lawful under the laws of this State is null and void, and any official action taken by an employee or agent of a town in violation of this section is void.

5. A town board shall repeal any ordinance or regulation described in subsection 4, and any such ordinance or regulation that is posted within the town must be removed.

6. A town board shall cause to be destroyed any ownership records of firearms owned by private persons which are kept or maintained by the town or any town agency, board or commission, including, without limitation, any law enforcement agency, for the purposes of compliance with any ordinance or regulation that is inconsistent with this section. The provisions of this subsection do not apply to the ownership records of firearms purchased and owned by any political subdivision of this State.

7. Any person who is adversely affected by the enforcement of an ordinance or regulation that violates this section on or after October 1, 2015, may file suit in the appropriate court for declaratory and injunctive relief and damages attributable to the violation. Notwithstanding any other provision of law, such a person is entitled to:

(a) Reimbursement of actual damages, reasonable attorney's fees and costs which the person has incurred if, within 30 days after the person commenced the action but before a final determination has been issued by the court, the town board repeals the ordinance or regulation that violates this section.

(b) Liquidated damages in an amount equal to two times the actual damages, reasonable attorney's fees and costs incurred by the person if, more than 30 days after the person commenced the action but before a final determination has been issued by the court, the town board repeals the ordinance or regulation that violates this section.

(c) Liquidated damages in an amount equal to three times the actual damages, reasonable attorney's fees and costs incurred by the person if the court makes a final determination in favor of the person.

8. This section must not be construed to prevent:

(a) A law enforcement agency or correctional institution from promulgating and enforcing its own rules pertaining to firearms, firearm accessories or ammunition that are issued to or used by peace officers in the course of their official duties.

(b) A court or administrative law judge from hearing and resolving a case or controversy or issuing an opinion or order on a matter within its jurisdiction.

(c) A public employer from regulating or prohibiting the carrying or possession of firearms, firearm accessories or ammunition during or in the course of an employee's official duties.

(d) The enactment or enforcement of a town zoning or business ordinance which is generally applicable to businesses within the town and thereby affects a firearms business within the town, including, without limitation, an indoor or outdoor shooting range.

(e) A town from enacting and enforcing rules for the operation and use of any firearm range owned and operated by the town.

(f) A political subdivision from sponsoring or conducting a firearm-related competition or educational or cultural program and enacting and enforcing rules for participation in or attendance at any such competition or program.

(g) A political subdivision or any official thereof with appropriate authority from enforcing any statute of this State.

9. As used in this section:

(a) "Ammunition" includes, without limitation, fixed cartridge ammunition and the individual components thereof, shotgun shells and the individual components thereof, projectiles for muzzle-loading firearms and any propellant used in firearms or ammunition.

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

(c) "Firearm accessories" means:

- (1) Devices specifically designed or adapted to enable the wearing or carrying of a firearm or the storing in or mounting on a conveyance of a firearm; or
  - (2) Attachments or devices specifically designed or adapted to be inserted into or affixed on a firearm to enable, alter or improve the functioning or capability of the firearm.
  - (d) "Person" includes, without limitation:
    - (1) Any person who has standing to bring or maintain an action concerning this section pursuant to the laws of this State.
    - (2) Any person who:
      - (I) Can legally possess a firearm under state and federal law;
      - (II) Owns, possesses, stores, transports, carries or transfers firearms, ammunition or ammunition components within a town; and
      - (III) Is subject to the town ordinance or regulation at issue.
    - (3) A membership organization whose members include a person described in subparagraphs (1) and (2) and which is dedicated in whole or in part to protecting the legal, civil or constitutional rights of its members.
    - (e) "Political subdivision" includes, without limitation, a state agency, county, city, town or school district.
    - (f) "Public employer" has the meaning ascribed to it in [NRS 286.070](#).
- (Added to NRS by [1989, 652](#); A [2007, 1290](#); [2011, 1165](#); [2015, 1789, 1813, 2696](#))

**NRS 388A.495 Adoption and distribution of rules of behavior and punishments; procedure for suspension or expulsion of pupils; adoption of rules for truancy.**

- 1. A governing body of a charter school shall adopt:
    - (a) Written rules of behavior required of and prohibited for pupils attending the charter school; and
    - (b) Appropriate punishments for violations of the rules.
  - 2. Except as otherwise provided in subsection 3, if suspension or expulsion of a pupil is used as a punishment for a violation of the rules, the charter school shall ensure that, before the suspension or expulsion, the pupil and, if the pupil is under 18 years of age, the parent or guardian of the pupil, has been given notice of the charges against him or her, an explanation of the evidence and an opportunity for a hearing. The provisions of [chapter 241](#) of NRS do not apply to any hearing conducted pursuant to this section. Such a hearing must be closed to the public.
  - 3. A pupil who poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process or who is selling or distributing any controlled substance or who is found to be in **possession of a dangerous weapon** as provided in [NRS 392.466](#) may be removed from the charter school immediately upon being given an explanation of the reasons for his or her removal and pending proceedings, which must be conducted as soon as practicable after removal, for suspension or expulsion of the pupil.
  - 4. A pupil who is enrolled in a charter school and participating in a program of special education pursuant to [NRS 388.419](#), other than a pupil who receives early intervening services, may, in accordance with the procedural policy adopted by the governing body of the charter school for such matters, be:
    - (a) Suspended from the charter school pursuant to this section for not more than 10 days.
    - (b) Suspended from the charter school for more than 10 days or permanently expelled from school pursuant to this section only after the governing body has reviewed the circumstances and determined that the action is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq.
  - 5. A copy of the rules of behavior, prescribed punishments and procedures to be followed in imposing punishments must be:
    - (a) Distributed to each pupil at the beginning of the school year and to each new pupil who enters school during the year.
    - (b) Available for public inspection at the charter school.
  - 6. The governing body of a charter school may adopt rules relating to the truancy of pupils who are enrolled in the charter school if the rules are at least as restrictive as the provisions governing truancy set forth in [NRS 392.130](#) to [392.220](#), inclusive. If a governing body adopts rules governing truancy, it shall include the rules in the written rules adopted by the governing body pursuant to subsection 1.
- (Added to NRS by [1997, 1851](#); A [2009, 752](#); [2015, 3301](#))—(Substituted in revision for NRS 386.585)

**NRS 392.4634 Prohibition against disciplining certain pupils for simulating firearm or dangerous weapon or wearing clothing or accessories that depict firearm or dangerous weapon; exceptions; prohibition against adoption of conflicting policy, ordinance or regulation.**

1. Except as otherwise provided in subsection 3, a pupil enrolled in kindergarten or grades 1 to 8, inclusive, may not be disciplined, including, without limitation, pursuant to [NRS 392.466](#), for:

(a) [Simulating a firearm](#) or dangerous weapon while playing; or  
(b) Wearing clothing or accessories that [depict a firearm](#) or dangerous weapon or express an opinion regarding a [constitutional right to keep and bear arms](#), unless it substantially disrupts the educational environment.

2. [Simulating a firearm](#) or dangerous weapon includes, without limitation:

- (a) Brandishing a partially consumed pastry or other food item to [simulate a firearm](#) or dangerous weapon;
- (b) Possessing a [toy firearm](#) or toy dangerous weapon that is 2 inches or less in length;
- (c) Possessing a [toy firearm](#) or toy dangerous weapon made of plastic building blocks which snap together;
- (d) Using a [finger or hand to simulate a firearm](#) or dangerous weapon;
- (e) Drawing a [picture or possessing an image of a firearm](#) or dangerous weapon; and
- (f) Using a pencil, pen or other writing or drawing [implement to simulate a firearm](#) or dangerous weapon.

3. A pupil who [simulates a firearm or dangerous](#) weapon may be disciplined when disciplinary action is consistent with a policy adopted by the board of trustees of the school district and such simulation:

- (a) Substantially disrupts learning by pupils or substantially disrupts the educational environment at the school;
- (b) Causes bodily harm to another person; or
- (c) Places another person in reasonable fear of bodily harm.

4. Except as otherwise provided in subsection 5, a school, school district, board of trustees of a school district or other entity shall not adopt any policy, ordinance or regulation which conflicts with this section.

5. The provisions of this section shall not be construed to prohibit a school from establishing and enforcing a policy requiring pupils to wear a school uniform as authorized pursuant to [NRS 386.855](#).

6. As used in this section:

- (a) “[Dangerous weapon](#)” has the meaning ascribed to it in paragraph (b) of subsection 9 of [NRS 392.466](#).
- (b) “[Firearm](#)” has the meaning ascribed to it in paragraph (c) of subsection 9 of [NRS 392.466](#).

(Added to NRS by [2015, 2026](#))

**NRS 392.466 Suspension or expulsion of pupil for battery on employee of school, possession of firearm or dangerous weapon, sale or distribution of controlled substance or status as habitual disciplinary problem; limitations for pupils with disabilities.**

1. Except as otherwise provided in this section, any pupil who commits a battery which results in the bodily injury of an employee of the school or who sells or distributes any controlled substance while on the premises of any public school, at an activity sponsored by a public school or on any school bus must, for the first occurrence, be suspended or expelled from that school, although the pupil may be placed in another kind of school, for at least a period equal to one semester for that school. For a second occurrence, the pupil must be permanently expelled from that school and:

(a) Enroll in a private school pursuant to [chapter 394](#) of NRS, become an opt-in child or be homeschooled; or

(b) Enroll in a program of independent study provided pursuant to [NRS 389.155](#) for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to [NRS 388.820](#) to [388.874](#), inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

2. Except as otherwise provided in this section, any pupil who is found in possession of a [firearm or a dangerous](#) weapon while on the premises of any public school, at an activity sponsored by a public school or on any school bus must, for the first occurrence, be expelled from the school for a period of not less than 1 year, although the pupil may be placed in another kind of school for a period not to exceed the period of the expulsion. For a second occurrence, the pupil must be permanently expelled from the school and:

(a) Enroll in a private school pursuant to [chapter 394](#) of NRS, become an opt-in child or be homeschooled; or

(b) Enroll in a program of independent study provided pursuant to [NRS 389.155](#) for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to [NRS 388.820](#) to

[388.874](#), inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

3. Except as otherwise provided in this section, if a pupil is deemed a habitual disciplinary problem pursuant to [NRS 392.4655](#), the pupil may be:

(a) Suspended from the school for a period not to exceed one school semester as determined by the seriousness of the acts which were the basis for the discipline; or

(b) Expelled from the school under extraordinary circumstances as determined by the principal of the school.

4. If the pupil is expelled, or the period of the pupil's suspension is for one school semester, the pupil must:

(a) Enroll in a private school pursuant to [chapter 394](#) of NRS, become an opt-in child or be homeschooled; or

(b) Enroll in a program of independent study provided pursuant to [NRS 389.155](#) for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to [NRS 388.820](#) to [388.874](#), inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

5. The superintendent of schools of a school district may, for good cause shown in a particular case in that school district, allow a modification to the suspension or expulsion requirement, as applicable, of subsection 1, 2 or 3 if such modification is set forth in writing.

6. This section does not prohibit a pupil from having in his or her possession a knife or **firearm** with the approval of the principal of the school. A principal may grant such approval only in accordance with the policies or regulations adopted by the board of trustees of the school district.

7. Any pupil in grades 1 to 6, inclusive, except a pupil who has been found to have possessed a **firearm** in violation of subsection 2, may be suspended from school or permanently expelled from school pursuant to this section only after the board of trustees of the school district has reviewed the circumstances and approved this action in accordance with the procedural policy adopted by the board for such issues.

8. A pupil who is participating in a program of special education pursuant to [NRS 388.419](#), other than a pupil who receives early intervening services, may, in accordance with the procedural policy adopted by the board of trustees of the school district for such matters, be:

(a) Suspended from school pursuant to this section for not more than 10 days. Such a suspension may be imposed pursuant to this paragraph for each occurrence of conduct proscribed by subsection 1.

(b) Suspended from school for more than 10 days or permanently expelled from school pursuant to this section only after the board of trustees of the school district has reviewed the circumstances and determined that the action is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq.

9. As used in this section:

(a) "Battery" has the meaning ascribed to it in paragraph (a) of subsection 1 of [NRS 200.481](#).

(b) "**Dangerous weapon**" includes, without limitation, a blackjack, slungshot, billy, sand-club, sandbag, metal knuckles, dirk or dagger, a nunchaku or trefoil, as defined in [NRS 202.350](#), a butterfly knife or any other knife described in [NRS 202.350](#), a switchblade knife as defined in [NRS 202.265](#), or any other object which is used, or threatened to be used, in such a manner and under such circumstances as to pose a threat of, or cause, bodily injury to a person.

(c) "**Firearm**" includes, without limitation, any pistol, revolver, shotgun, explosive substance or device, and any other item included within the definition of a "firearm" in 18 U.S.C. § 921, as that section existed on July 1, 1995.

10. The provisions of this section do not prohibit a pupil who is suspended or expelled from enrolling in a charter school that is designed exclusively for the enrollment of pupils with disciplinary problems if the pupil is accepted for enrollment by the charter school pursuant to [NRS 388A.453](#) or [388A.456](#). Upon request, the governing body of a charter school must be provided with access to the records of the pupil relating to the pupil's suspension or expulsion in accordance with applicable federal and state law before the governing body makes a decision concerning the enrollment of the pupil.

(Added to NRS by [1985, 1648](#); A [1987, 1550](#); [1989, 429](#); [1991, 628, 1364](#); [1993, 2161](#); [1995, 2710](#); [1997, 2489](#); [1999, 2113, 3317](#); [2001, 1022](#); [2003, 19th Special Session, 81](#); [2005, 1539](#); [2007, 1997, 3038](#); [2009, 756](#); [2015, 426, 1589, 1846, 2037](#))

### **NRS 393.410 Damage to school property; nuisance; loitering; trespass; penalties.**

1. It is unlawful for any person:
    - (a) Willfully and maliciously to injure, mark or deface any public schoolhouse, its fixtures, books or appurtenances;
    - (b) To commit any nuisance in any public schoolhouse;
    - (c) To loiter on or near the school grounds; or
    - (d) Purposely and maliciously to commit any trespass upon the grounds attached to a public schoolhouse, or any fixtures placed thereon, or any enclosure or sidewalk about the same.
  2. Except as otherwise provided in subsection 3, any person violating any of the provisions of this section is guilty of a public offense, as prescribed in [NRS 193.155](#), proportionate to the value of the property damaged or destroyed and in no event less than a misdemeanor.
  3. Any person who is in possession of a **dangerous weapon** during his or her commission of a violation of paragraph (b), (c) or (d) of subsection 1 is guilty of a gross misdemeanor.
  4. As used in this section:
    - (a) “Dangerous knife” means a knife having a blade that is 2 inches or more in length when measured from the tip of the knife which is customarily sharpened to the unsharpened extension of the blade which forms the hinge connecting the blade to the handle.
    - (b) “**Dangerous weapon**” means:
      - (1) An explosive or incendiary device;
      - (2) A dirk, dagger, switchblade knife or dangerous knife;
      - (3) A nunchaku or trefoil;
      - (4) A blackjack or billy club or metal knuckles; or
      - (5) **A pistol, revolver or other firearm.**
    - (c) “Explosive or incendiary device” has the meaning ascribed to it in [NRS 202.253](#).
    - (d) “Nunchaku” has the meaning ascribed to it in [NRS 202.350](#).
    - (e) “Switchblade knife” has the meaning ascribed to it in [NRS 202.265](#).
    - (f) “Trefoil” has the meaning ascribed to it in [NRS 202.350](#).
- [415:32:1956] — (NRS A [1967, 567](#); [1993, 40](#); [2001, 807](#); [2015, 1591](#))

### **NRS 396.110 Rules of Board.**

1. The Board of Regents may prescribe rules for:
    - (a) Its own government; and
    - (b) The government of the System.
  2. **The Board of Regents shall prescribe rules for the granting of permission to carry or possess a weapon pursuant to [NRS 202.265](#).**
- [Part 3:37:1887; A 1917, 52; 1945, 448; 1943 NCL § 7728]—(NRS A 1989, 657; 1993, 341)

### **NRS 407.0475 Administrator: Regulations; penalty for violation of regulations.**

1. The Administrator shall adopt such regulations as he or she finds necessary for carrying out the provisions of this chapter and other provisions of law governing the operation of the Division. Except as otherwise provided in subsection 2, the regulations may include prohibitions and restrictions relating to activities within any of the park or recreational facilities within the jurisdiction of the Division.
2. Any regulations relating to the conduct of persons within the park or recreational facilities must:
  - (a) Be directed toward one or both of the following:
    - (1) Prevention of damage to or misuse of the facility.
    - (2) Promotion of the inspiration, use and enjoyment of the people of this State through the preservation and use of the facility.
  - (b) Apply separately to each park, monument or recreational area and be designed to fit the conditions existing at that park, monument or recreational area.
  - (c) **Not establish restrictions on the possession of firearms within the park or recreational facility which are more restrictive than the laws of this State relating to:**
    - (1) **The possession of firearms; or**
    - (2) **Engaging in lawful resistance to prevent an offense against a person or property.**

□ Any regulation which violates the provisions of this paragraph is void.

3. Any person whose conduct violates any regulation adopted pursuant to subsection 1, and who refuses to comply with the regulation upon request by any ranger or employee of the Division who has the powers of a peace officer pursuant to [NRS 289.260](#), is guilty of a misdemeanor. (Added to NRS by 1973, 978; A 1975, 801; 1977, 1130; 1985, 368; 1993, 2532; [2011, 3111](#))

#### **NRS 412.088 Promotion of practice with rifle and pistol.**

1. The Office may adopt and provide suitable medals, prizes or other awards for the promotion of **rifle practice by duly organized rifle clubs of the Nevada Firearms Coalition** and organizations and members of the Nevada National Guard when funds are available and appropriated by the State or the Federal Government.

2. The Adjutant General shall encourage and promote rifle and pistol practice by Nevada clubs affiliated with the National Rifle Association of America, and select and appoint representatives from those clubs to attend the annual national rifle and pistol matches. Not more than \$1,000 of the amount appropriated for the support of the Adjutant General's office may be used annually in the purchase of ammunition to be used by such rifle clubs, which ammunition must be sold at cost plus transportation charges.

(Added to NRS by 1967, 1298; A [1993, 1601](#); [2013, 1109](#))

#### **NRS 414.0355 "Firearm" defined.**

"Firearm" means any weapon from which a projectile is discharged by means of an explosive, spring, gas, air or other force. The term includes ammunition for a firearm.

(Added to NRS by [2007, 358](#))

#### **NRS 414.155 Limitations on emergency powers relating to firearms.**

Pursuant to Amendment II of the Constitution of the United States and [Section 11 of Article 1](#) of the Constitution of the State of Nevada, and notwithstanding any other provision of law, the emergency powers conferred upon the Governor and upon the executive heads or governing bodies of the political subdivisions of this State must not be construed to allow:

1. The confiscation of a firearm from a person unless the person is:

(a) In unlawful possession of the firearm; or

(b) Unlawfully carrying the firearm; or

2. The imposition of additional restrictions as to the lawful possession, transfer, sale, carrying, storage, display or use of:

(a) Firearms;

(b) Ammunition; or

(c) Components of firearms or ammunition.

(Added to NRS by [2007, 358](#))

#### **NRS 424.044 Concealed firearm and ammunition authorized on premises of family foster home in certain circumstances; storage of firearms and ammunition on such premises; agency which provides child welfare services immune from liability.**

1. A person who is listed in paragraph (a) of subsection 4 of [NRS 202.350](#) or holds a permit to carry a concealed firearm pursuant to [NRS 202.3653](#) to [202.369](#), inclusive, may possess the firearm, whether loaded or unloaded, or ammunition while on the premises of a family foster home in accordance with the provisions of this section.

2. Except as otherwise provided in subsection 4, a person described in subsection 1 who possesses a firearm or ammunition while on the premises of a family foster home must store the firearm or ammunition in a locked secure storage container except:

(a) When used for a lawful purpose, which may include, without limitation, for an educational or recreational purpose, for hunting, for the defense of a person or property, or to clean or service the firearm; or

(b) If the firearm or ammunition is inoperable and solely ornamental.

3. A person who stores a firearm or ammunition on the premises of a family foster home in a locked secure storage container as required pursuant to subsection 2 shall ensure that any key, combination or access code to the locked secure storage container is kept in the reasonably secure possession of an adult or a locked combination or biometric safe.

4. A person who is authorized to possess a firearm on the premises of a family foster home pursuant to subsection 1 may carry a firearm on his or her person while in the presence of a foster child, including, without limitation, while operating or riding in a motor vehicle, if the person:

(a) Keeps the firearm in a holster or similarly secure case;

(b) Carries the firearm in a manner which ensures that the firearm is inaccessible to any foster child and is in the possession and control of the provider or other person; and

(c) Returns the firearm to a locked storage container when the firearm is on the premises of a foster home or in the presence of a foster child and is not being carried on his or her person in accordance with this subsection or used for a lawful purpose.

5. An agency which provides child welfare services is immune from civil and criminal liability for any injury resulting from the use of a firearm or ammunition that is stored on the premises of a family foster home or is carried by a provider of family foster care or any other person who resides in a family foster home.

6. As used in this section:

(a) "Firearm" has the meaning ascribed to it in [NRS 202.253](#).

(b) "Secure storage container" means any device, including, without limitation, a safe, gun safe, secure gun case or lock box, that is marketed commercially for storing a firearm or ammunition and is designed to be unlocked only by means of a key, a combination, a biometric lock or other similar means.

(Added to NRS by [2015, 3644](#))

### **NRS 433A.310 Findings and order; expiration and renewal of admission; alternative courses of treatment; transmittal of record to Central Repository for Nevada Records of Criminal History.**

1. Except as otherwise provided in [NRS 432B.6076](#) and [432B.6077](#), if the district court finds, after proceedings for the involuntary court-ordered admission of a person:

(a) That there is not clear and convincing evidence that the person with respect to whom the hearing was held has a mental illness or exhibits observable behavior such that the person is likely to harm himself or herself or others if allowed his or her liberty or if not required to participate in a program of community-based or outpatient services, the court shall enter its finding to that effect and the person must not be involuntarily admitted to a public or private mental health facility or to a program of community-based or outpatient services.

(b) That there is clear and convincing evidence that the person with respect to whom the hearing was held has a mental illness and, because of that illness, is likely to harm himself or herself or others if allowed his or her liberty or if not required to participate in a program of community-based or outpatient services, the court may order the involuntary admission of the person for the most appropriate course of treatment, including, without limitation, admission to a public or private mental health facility or participation in a program of community-based or outpatient services. The order of the court must be interlocutory and must not become final if, within 30 days after the involuntary admission, the person is unconditionally released pursuant to [NRS 433A.390](#).

2. A court shall not admit a person to a program of community-based or outpatient services unless:

(a) A program of community-based or outpatient services is available in the community in which the person resides or is otherwise made available to the person;

(b) The person is 18 years of age or older;

(c) The person has a history of noncompliance with treatment for mental illness;

(d) The person is capable of surviving safely in the community in which he or she resides with available supervision;

(e) The court determines that, based on the person's history of treatment for mental illness, the person needs to be admitted to a program of community-based or outpatient services to prevent further disability or deterioration of the person which is likely to result in harm to himself or herself or others;

(f) The current mental status of the person or the nature of the person's illness limits or negates his or her ability to make an informed decision to seek treatment for mental illness voluntarily or to comply with recommended treatment for mental illness;

(g) The program of community-based or outpatient services is the least restrictive treatment which is in the best interest of the person; and

(h) The court has approved a plan of treatment developed for the person pursuant to [NRS 433A.315](#).

3. Except as otherwise provided in [NRS 432B.608](#), an involuntary admission pursuant to paragraph (b) of subsection 1 automatically expires at the end of 6 months if not terminated previously by the medical director of the public or private mental health facility as provided for in subsection 2 of [NRS 433A.390](#) or by the professional responsible for providing or coordinating the program of community-based or outpatient services as provided for in subsection 3 of [NRS 433A.390](#). Except as otherwise provided in [NRS 432B.608](#), at the end of the court-ordered period of treatment, the Division, any mental health facility that is not operated by the Division or a program of community-based or outpatient services may petition to renew the involuntary admission of the person for additional periods not to exceed 6 months each. For each renewal, the petition must include evidence which meets the same standard set forth in subsection 1 that was required for the initial period of admission of the person to a public or private mental health facility or to a program of community-based or outpatient services.

4. Before issuing an order for involuntary admission or a renewal thereof, the court shall explore other alternative courses of treatment within the least restrictive appropriate environment, including involuntary admission to a program of community-based or outpatient services, as suggested by the evaluation team who evaluated the person, or other persons professionally qualified in the field of psychiatric mental health, which the court believes may be in the best interests of the person.

5. If the court issues an order involuntarily admitting a person to a public or private mental health facility or to a program of community-based or outpatient services pursuant to this section, the court shall, notwithstanding the provisions of [NRS 433A.715](#), cause, within 5 business days after the order becomes final pursuant to this section, on a form prescribed by the Department of Public Safety, a record of the order to be transmitted to the Central Repository for Nevada Records of Criminal History, along with a statement indicating that the record is being transmitted for inclusion in each appropriate database of the National Instant Criminal Background Check System.

6. As used in this section, "National Instant Criminal Background Check System" has the meaning ascribed to it in [NRS 179A.062](#).

(Added to NRS by [1975, 1606](#); A [1981, 1134](#); [1983, 508](#); [1989, 1761](#); [1993, 2115](#); [2001, 3046](#); [2005, 1323](#); [2009, 2491](#); [2013, 3492](#); [2015, 1815](#))

### **NRS 453A.300 Acts for which registry identification cardholder is not exempt from state prosecution and may not raise affirmative defense; additional penalty.**

1. A person who holds a registry identification card or letter of approval issued to him or her pursuant to [NRS 453A.220](#) or [453A.250](#) is not exempt from state prosecution for, nor may the person establish an affirmative defense to charges arising from, any of the following acts:

(a) Driving, operating or being in actual physical control of a vehicle or a vessel under power or sail while under the influence of marijuana.

(b) Engaging in any other conduct prohibited by [NRS 484C.110](#), [484C.120](#), [484C.130](#), [484C.430](#), subsection 2 of [NRS 488.400](#), [NRS 488.410](#), [488.420](#), [488.425](#) or [493.130](#).

(c) Possessing a firearm in violation of paragraph (b) of subsection 1 of [NRS 202.257](#).

(d) Possessing marijuana in violation of [NRS 453.336](#) or possessing paraphernalia in violation of [NRS 453.560](#) or [453.566](#):

(1) If the possession of the marijuana or paraphernalia is discovered because the person engaged or assisted in the medical use of marijuana in:

(I) Any public place or in any place open to the public or exposed to public view; or

(II) Any local detention facility, county jail, state prison, reformatory or other correctional facility, including, without limitation, any facility for the detention of juvenile offenders; or

(2) If the possession of the marijuana or paraphernalia occurs on school property.

(e) Delivering marijuana to another person who he or she knows does not lawfully hold a registry identification card or letter of approval issued by the Division or its designee pursuant to [NRS 453A.220](#) or [453A.250](#).

(f) Delivering marijuana for consideration to any person, regardless of whether the recipient lawfully holds a registry identification card or letter of approval issued by the Division or its designee pursuant to [NRS 453A.220](#) or [453A.250](#).

2. Except as otherwise provided in [NRS 453A.225](#) and in addition to any other penalty provided by law, if the Division determines that a person has willfully violated a provision of this chapter or any regulation adopted by the

Division to carry out the provisions of this chapter, the Division may, at its own discretion, prohibit the person from obtaining or using a registry identification card or letter of approval for a period of up to 6 months.

3. As used in this section, “school property” means the grounds of any public school described in [NRS 388.020](#) and any private school as defined in [NRS 394.103](#).

(Added to NRS by [2001, 3060](#); A [2005, 169, 689](#); [2009, 623, 1887](#); [2013, 3724](#); [2015, 3100](#))

### **NRS 453.301 Property subject to forfeiture.**

The following are subject to forfeiture pursuant to [NRS 179.1156](#) to [179.119](#), inclusive:

1. All controlled substances which have been manufactured, distributed, dispensed or acquired in violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct.
2. All raw materials, products and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing or exporting any controlled substance in violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct.
3. All property which is used, or intended for use, as a container for property described in subsections 1 and 2.
4. All books, records and research products and materials, including formulas, microfilm, tapes and data, which are used, or intended for use, in violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct.
5. All conveyances, including aircraft, vehicles or vessels, which are used, or intended for use, to transport, or in any manner to facilitate the transportation, concealment, manufacture or protection, for the purpose of sale, possession for sale or receipt of property described in subsection 1 or 2.
6. All drug paraphernalia as defined by [NRS 453.554](#) which are used in violation of [NRS 453.560](#), [453.562](#) or [453.566](#) or a law of any other jurisdiction which prohibits the same or similar conduct, or of an injunction issued pursuant to [NRS 453.558](#).
7. All imitation controlled substances which have been manufactured, distributed or dispensed in violation of the provisions of [NRS 453.332](#) or [453.3611](#) to [453.3648](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct.
8. All real property and mobile homes used or intended to be used by any owner or tenant of the property or mobile home to facilitate a violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, except [NRS 453.336](#), or used or intended to be used to facilitate a violation of a law of any other jurisdiction which prohibits the same or similar conduct as prohibited in [NRS 453.011](#) to [453.552](#), inclusive, except [NRS 453.336](#). As used in this subsection, “tenant” means any person entitled, under a written or oral rental agreement, to occupy real property or a mobile home to the exclusion of others.
9. Everything of value furnished or intended to be furnished in exchange for a controlled substance in violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct, all proceeds traceable to such an exchange, and all other property used or intended to be used to facilitate a violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, except [NRS 453.336](#), or used or intended to be used to facilitate a violation of a law of any other jurisdiction which prohibits the same or similar conduct as prohibited in [NRS 453.011](#) to [453.552](#), inclusive, except [NRS 453.336](#). If an amount of cash which exceeds \$300 is found in the possession of a person who is arrested for a violation of [NRS 453.337](#) or [453.338](#), then there is a rebuttable presumption that the cash is traceable to an exchange for a controlled substance and is subject to forfeiture pursuant to this subsection.
10. All firearms, as defined by [NRS 202.253](#), which are in the actual or constructive possession of a person who possesses or is consuming, manufacturing, transporting, selling or under the influence of any controlled substance in violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct.
11. All computer hardware, equipment, accessories, software and programs that are in the actual or constructive possession of a person who owns, operates, controls, profits from or is employed or paid by an illegal Internet pharmacy and who violates the provisions of [NRS 453.3611](#) to [453.3648](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct.

(Added to NRS by 1971, 2016; A 1973, 1211; 1977, 1409; 1981, 408; 1983, 288, 440, 922; 1987, 1385; 1989, 11, 1231; 1991, 336; [2001, 1058](#); [2003, 554](#))

**NRS 476.060 Procedure for prohibition of storage of explosive or combustible materials in city or town: Petition; order; publication; penalties.**

1. Whenever there is filed with the board of county commissioners of any county a petition signed by 10 percent of the residents of any town or incorporated city within the county, the 10 percent to be computed from the number of persons paying taxes in the town or incorporated city according to the last preceding assessment roll, praying that the **storage of gunpowder**, explosive or combustible materials be prohibited within the limits of such town or city, the board shall, at the meeting of such board when the petition is filed, make and enter on the minutes of its proceedings an order prohibiting the storage of explosives or combustible materials within such distance of the town or city as the board may deem safe and proper, but the distance named in the order for such storage shall not be less than one-fourth of a mile from the limits of the town or city.

2. The order mentioned in subsection 1 to be made by the board may be published by the clerk of the board of county commissioners for 2 weeks successively in some newspaper published and printed in the town or city to which the order applies, or a copy of the order shall be posted conspicuously in three public places in the town or city. The publication or posting shall constitute due notice to all concerned.

3. This section does not prohibit or prevent:

(a) The storage by any person, firm or corporation within the limit prescribed by the order of any board, of not more than **100 pounds of black and smokeless gunpowder or rifle powder**, and not more than 500 gallons of kerosene oil.

(b) The keeping within such limit of **shotgun or rifle shells and cartridges and cartridge percussion caps by any business firm or individual**.

(c) The storing of powder underground in mines.

4. Any board of county commissioners, or any member thereof, failing, neglecting or refusing to comply with all of the provisions of subsection 1 is guilty of a misdemeanor, and proceedings shall at once be instituted by the district attorney, or may be instituted by any citizen of the county against such board, or against any member thereof. Such conviction shall ipso facto remove such board, or any member thereof so convicted, from office. Notice of the vacancy thereby created shall be certified by the district attorney to the Governor. Within 20 days from the receipt of such notice, the Governor shall make appointments to fill such vacancy as may be created.

5. Any person, firm, company or corporation continuing to store any explosive or combustible materials within the limit prescribed by such order and notice, after 2 weeks subsequent to the giving of notice, or after 3 weeks subsequent to the making of such order, is guilty of a misdemeanor.

[1:101:1905; RL § 1946; NCL § 2885] + [2:101:1905; RL § 1947; NCL § 2886] + [3:101:1905; RL § 1948; NCL § 2887]—(NRS A 1967, 591; 1971, 1460; 1979, 1482)

**NRS 476.070 Discharge of tracer or incendiary ammunition within certain areas; penalty; exceptions.**

1. Any person who discharges **any bullet, projectile or ammunition of any kind which is tracer or incendiary in nature on any grass, brush, forest or crop-covered land** is guilty of a misdemeanor.

2. This section does not apply to:

(a) Any member of the Armed Forces of the United States or the Nevada National Guard while such member is on active duty;

(b) Any law enforcement officer of this State or the United States; or

(c) The **possession or use of such ammunition on land owned or leased by the United States when possessed or used at the direction of an authorized official of the United States**.

(Added to NRS by [1967, 1078](#); A [1971, 1461](#); [1979, 1483](#))

**NRS 476.080 Requirements for marking container used to store explosives.** Any container used to store an explosive must be marked in accordance with all applicable state and federal laws and regulations.

(Added to NRS by [2007, 1009](#))

**NRS 476.090 Unusual sale, purchase, theft or loss of explosive: Report required; penalty; exceptions; rebuttable presumption.**

1. Except as otherwise provided in subsection 3, any person who has knowledge of an unusual sale, purchase, theft or loss of any explosive shall, within 24 hours after the discovery, report the sale, purchase, theft or loss to the local law enforcement agency and local fire department in whose jurisdiction the sale, purchase, theft or loss occurred. The report must contain, when possible:

- (a) The name, birth date and address of the persons involved.
- (b) The amount and type of explosive involved.
- (c) Any other information the person making the report believes to be useful.

2. Any person who violates the provisions of this section is guilty of a gross misdemeanor.

3. The provisions of this section do not apply with respect to a person who is acting in his or her official capacity as an owner, officer or employee of a company, corporation or partnership engaged in the business of mining.

4. For the purposes of this section, there is a rebuttable presumption that a sale, purchase, theft or loss of any explosive is “unusual” if that type of sale, purchase, theft or loss does not regularly occur in the ordinary course of business.

(Added to NRS by [2007, 1009](#))

**NRS 476.220 Distribution of black powder or smokeless gunpowder to persons under certain age.**

1. Except as otherwise provided in subsection 2, any person who distributes:

(a) **Black powder to a person under the age of 18 years; or**

(b) **Smokeless gunpowder to a person:**

(1) **Under the age of 18 years; or**

(2) Under the age of 21 years, if the **smokeless gunpowder** is intended for use other than in a **rifle or shotgun**,  
 is guilty of a misdemeanor and shall be punished by a fine of not more than \$500.

2. A person shall be deemed to be in compliance with the provisions of subsection 1 if, before the person distributes **black powder or smokeless gunpowder** to another person, the person:

(a) Asks the other person to declare the intended use for **the black powder or smokeless gunpowder**;

(b) Demands that the other person present a valid driver’s license or other written or documentary evidence which shows that the other person meets the appropriate age requirement set forth in subsection 1;

(c) Is presented a valid driver’s license or other written or documentary evidence which shows that the other person meets the appropriate age requirement set forth in subsection 1; and

(d) Reasonably relies upon the declaration of intended use by the other person and the driver’s license or other written or documentary evidence presented by the other person.

3. As used in this section, “distribute” has the meaning ascribed to it in [NRS 476.010](#).

(Added to NRS by [2011, 469](#))

**NRS 482.37939 Support for rights guaranteed by Second Amendment to United States Constitution.**

1. Except as otherwise provided in subsection 2, the Department, in cooperation with the Nevada Firearms Coalition or its successor, shall design, prepare and issue license plates which indicate support for the rights guaranteed by the Second Amendment to the United States Constitution, using any colors that the Department deems appropriate.

2. The Department shall not design, prepare or issue the license plates described in subsection 1 unless:

(a) The Commission on Special License Plates recommends to the Department that the Department approve the design, preparation and issuance of those plates as described in [NRS 482.367004](#); and

(b) A surety bond in the amount of \$5,000 is posted with the Department.

3. If the conditions set forth in subsection 2 are met, the Department shall issue license plates which indicate support for the rights guaranteed by the Second Amendment to the United States Constitution for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to [NRS 482.265](#) and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to [NRS 482.3667](#) be combined with license plates

which indicate support for the rights guaranteed by the Second Amendment to the United States Constitution if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates which indicate support for the rights guaranteed by the Second Amendment to the United States Constitution pursuant to subsections 4 and 5.

4. The fee for license plates which indicate support for the rights guaranteed by the Second Amendment to the United States Constitution is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10.

5. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed pursuant to subsection 4, a person who requests a set of license plates which indicate support for the rights guaranteed by the Second Amendment to the United States Constitution must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be deposited in accordance with subsection 6.

6. Except as otherwise provided in [NRS 482.38279](#), the Department shall deposit the fees collected pursuant to subsection 5 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the Nevada Firearms Coalition or its successor for use only to provide or pay for firearm training or firearm safety education.

7. The Department must promptly release the surety bond that is required to be posted pursuant to paragraph (b) of subsection 2:

(a) If the Department, based upon the recommendation of the Commission on Special License Plates, determines not to issue the special license plate; or

(b) If it is determined that at least 1,000 special license plates have been issued pursuant to the assessment of the viability of the design of the special license plate conducted pursuant to [NRS 482.367008](#).

8. The provisions of paragraph (a) of subsection 1 of [NRS 482.36705](#) do not apply to license plates described in this section.

9. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall:

(a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to [NRS 482.399](#); or

(b) Within 30 days after removing the plates from the vehicle, return them to the Department.

(Added to NRS by [2015, 1939](#))

### **NRS 487.020 Report of vehicle showing damage by gunfire.**

Whenever a vehicle of a type subject to registration under the laws of this State has been offered for repair to any person or garage and the **damage to the vehicle indicates that such damage is the result of gunfire**, the person to whom the vehicle was offered for repair shall immediately report the vehicle and condition to the sheriff's office of the county, or the police department of the city, wherein such garage or person is located.

[2:227:1919; A 1953, 95]

### **NRS 501.375 Powers and duties of game wardens, sheriffs and other peace officers.**

1. Every game warden, sheriff and other peace officer of this State and its political subdivisions shall enforce the provisions of this title and seize any wildlife taken or held in possession in violation of those provisions.

2. Such an officer may:

(a) With or without a warrant, conduct a reasonable search of any camp, structure, aircraft, vessel, vehicle, box, game bag or other package where the officer has reason to believe any wildlife taken or held in violation of any of the provisions of this title is to be found, and, for the purpose of such a search, may detain any aircraft, vessel or vehicle for a reasonable time.

(b) Seize any such wildlife and any **gun, ammunition**, trap, snare, tackle, or other device or equipment whose presence indicates that a violation of any provision of this title has occurred. Except for property described in [NRS 501.3857](#), property seized pursuant to this subsection may be held only for evidence and may be recovered by the owner within 1 year after it is no longer needed for that purpose. The Department shall, within 30 days after the

property is no longer needed, send a written notice to the owner of the property that informs the owner of the owner's right to recover the property.

3. A dwelling house may be searched only pursuant to a warrant or as otherwise provided by law.

[39:101:1947; 1943 NCL § 3035.39]—(NRS A 1967, 177; 1969, 1348; 1979, 897; 1991, 260, 2285; 1993, 552; [2005, 1309](#))

### **NRS 501.3857 Forfeitures.**

Any [gun, ammunition](#), trap, snare, vessel, vehicle, aircraft or other device or equipment used, or intended for use:

1. To facilitate the unlawful and intentional killing or possession of any big game mammal;  
2. To hunt or kill a big game mammal by using information obtained as a result of the commission of an act prohibited by [NRS 503.010](#) or a regulation of the Commission which prohibits the location of big game mammals for the purpose of hunting or killing by the use of:

(a) An aircraft, including, without limitation, any device that is used for navigation of, or flight in, the air;

(b) A hot air balloon or any other device that is lighter than air; or

(c) A satellite or any other device that orbits the earth and is equipped to produce images, or other similar devices; or

3. Knowingly to transport, sell, receive, acquire or purchase any big game mammal which is unlawfully killed or possessed,

□ is subject to forfeiture pursuant to [NRS 179.1156](#) to [179.119](#), inclusive.

(Added to NRS by 1991, 2283; A 1993, 552; [2005, 1310](#))

### **NRS 502.120 Penalty for refusal to exhibit license, permit, wildlife or equipment on demand; penalty for failure to have license or permit in possession.**

1. Each person required to have a license or permit as provided in this title who, while engaged in any activity regulated by this title, refuses to exhibit the license or permit, any wildlife which the person may have in his or her possession, or any [weapon, ammunition](#), device or apparatus in his or her possession which may be used for any activity regulated by this title, upon the demand of any officer authorized to enforce the fish and game laws of this State, is guilty of a misdemeanor.

2. Each person required to have a license or permit as provided in this chapter who, while engaged in any activity regulated by this title, fails to have the license or permit in his or her possession is guilty of a misdemeanor. A person charged with violating this subsection may not be convicted if the person produces in court a license or permit previously issued to the person and valid at the time of his or her arrest.

[Part 55:101:1947; A 1955, 86]—(NRS A 1969, 1354; 1981, 543; 1991, 262; [2005, 1311](#))

### **NRS 503.150 Manner of hunting game birds or mammals: Unlawful acts; carrying of certain handguns lawful during certain seasons.**

1. Unless otherwise specified by Commission regulation, it is unlawful to hunt:

(a) Any game bird or game mammal with any [gun capable of firing more than one round with one continuous pull of the trigger, or with any full steel, full steel core, full metal jacket, tracer or incendiary bullet or shell, or any shotgun larger than number 10 gauge.](#)

(b) Big game mammals in any manner other than with a [rifle, held in the hand](#), that exerts at least 1,000 foot-pounds of energy at 100 yards, or with a longbow and arrow which meet the specifications established by Commission regulation.

(c) Small game mammals in any manner other than with a handgun, shotgun, rifle, longbow and arrow or by means of falconry.

(d) Game birds with any [rifle or handgun](#), or in any manner other than with a [shotgun](#) held in the hand, with a longbow and arrow or by means of falconry.

(e) Migratory game birds with any [shotgun capable of holding more than three shells.](#)

(f) Any game bird or game mammal with the aid of any artificial light.

(g) Any big game mammal, except mountain lions, with a dog of any breed.

2. A person who is hunting during any period of an open season during which hunting is restricted to the use of only archery equipment or a [muzzle-loading firearm](#):

(a) [May carry for self-defense a handgun that:](#)

- (1) Has a barrel length of less than 8 inches; and
- (2) Does not have a telescopic sight.
- (b) May not use the handgun carried pursuant to paragraph (a) to hunt any wildlife.
3. Nothing in this section prohibits the use of dogs in the hunting of game birds or small game mammals.  
[Part 2:101:1947; A 1949, 292; 1943 NCL § 3035.02]—(NRS A 1957, 175; 1959, 385; [1969, 1360](#); [1973, 671](#); [1991, 266](#); [2015, 973](#))

**NRS 503.165 Carrying loaded rifle or shotgun in or on vehicle on or along public way unlawful; exceptions.**

1. It is unlawful to carry a [loaded rifle or loaded shotgun](#) in or on any vehicle which is standing on or along, or is being driven on or along, any public highway or any other way open to the public.
2. A [rifle or shotgun is loaded, for the purposes of this section, when there is an unexpended cartridge or shell in the firing chamber, but not when the only cartridges or shells are in the magazine.](#)
3. The provisions of this section do not apply to paraplegics, persons with one or both legs amputated or who have suffered a paralysis of one or both legs which severely impedes walking, or peace officers and members of the Armed Forces of this State or the United States while on duty or going to or returning from duty.  
(Added to NRS by 1969, 1367; A 1971, 1542; 1981, 321; 1987, 596)

**NRS 503.175 Penalty for discharging firearm from or over federal or state highway or county road.** Unless a greater penalty is provided in [NRS 202.287](#), a person who [discharges a firearm](#) from, upon, over or across any federal highway, state highway as described in [NRS 408.285](#), or main or general county road as designated in [NRS 403.170](#), is guilty of a misdemeanor.  
(Added to NRS by 1969, 1368; A 1979, 1174; 1989, 1242)

**NRS 503.185 Hunting accident causing injury or death of person or property damage: Report; revocation of license.**

1. Every person involved in a hunting accident where damage to property results, or which involves the injury of or death to another person, shall file a report of the accident with the Department within 30 days after the accident. The report must be on the form prescribed by the Department.
2. The Department shall revoke any hunting license held by a person convicted of violating [NRS 503.165](#) or [503.175](#), if the violation results in an injury to or the death of another person. The Department shall not issue another such license to the person sooner than 2 years after the revocation.  
(Added to NRS by [1987, 596](#); A [1993, 1672](#); [2003, 1547](#))

**NRS 504.300 Establishment of commercial or private shooting preserve.**

Any person who owns or controls the shooting rights or privileges on an enclosed tract of land may establish a commercial or private shooting preserve for the propagation, culture and maintenance of upland game birds pursuant to the provisions of this chapter and commission regulations.  
[Part 83.1:101:1947; added 1951, 443]—(NRS A 1957, 262; 1969, 1372; 1981, 610)

**NRS 629.041 Provider of health care to report persons having certain injuries.**

Every provider of health care to whom any person comes or is brought for treatment of an injury which appears to have been [inflicted by means of a firearm or knife](#), not under accidental circumstances, shall promptly report the person's name, if known, his or her location and the character and extent of the injury to an appropriate law enforcement agency.  
(Added to NRS by 1977, 239)

**NRS 629.550 Duty to apply for emergency admission to mental health facility of patient who communicates certain threats or to make reasonable effort to timely communicate threats to certain persons; civil or criminal liability or disciplinary action.**

1. If a patient communicates to a mental health professional an explicit threat of imminent serious physical harm or death to a clearly identified or identifiable person and, in the judgment of the mental health professional, the patient has the intent and ability to carry out the threat, the mental health professional shall apply for the emergency admission of the patient to a mental health facility pursuant to [NRS 433A.160](#) or make a reasonable effort to communicate the threat in a timely manner to:

- (a) The person who is the subject of the threat;
- (b) The law enforcement agency with the closest physical location to the residence of the person; and
- (c) If the person is a minor, the parent or guardian of the person.

2. A mental health professional shall be deemed to have made a reasonable effort to communicate a threat pursuant to subsection 1 if:

- (a) The mental health professional actually communicates the threat in a timely manner; or
- (b) The mental health professional makes a good faith attempt to communicate the threat in a timely manner and the failure to actually communicate the threat in a timely manner does not result from the negligence or recklessness of the mental health professional.

3. A mental health professional who exercises reasonable care in determining that he or she:

- (a) Has a duty to take an action described in subsection 1 is not subject to civil or criminal liability or disciplinary action by a professional licensing board for disclosing confidential or privileged information.
- (b) Does not have a duty to take an action described in subsection 1 is not subject to civil or criminal liability or disciplinary action by a professional licensing board for any damages caused by the actions of a patient.

4. The provisions of this section do not:

(a) Limit or affect the duty of the mental health professional to report child abuse or neglect pursuant to [NRS 432B.220](#); or

(b) Modify any duty of a mental health professional to take precautions to prevent harm by a patient:

- (1) Who is in the custody of a hospital or other facility where the mental health professional is employed; or
- (2) Who is being discharged from such a facility.

5. As used in this section, “mental health professional” includes:

- (a) A physician or psychiatrist licensed to practice medicine in this State pursuant to [chapter 630](#) or [633](#) of NRS;
- (b) A psychologist who is licensed to practice psychology pursuant to [chapter 641](#) of NRS;

(c) A social worker who:

- (1) Holds a master’s degree in social work;
- (2) Is licensed as a clinical social worker pursuant to [chapter 641B](#) of NRS; and
- (3) Is employed by the Division of Public and Behavioral Health of the Department of Health and Human

Services;

(d) A registered nurse who:

- (1) Is licensed to practice professional nursing pursuant to [chapter 632](#) of NRS; and
- (2) Holds a master’s degree in psychiatric nursing or a related field;

(e) A marriage and family therapist licensed pursuant to [chapter 641A](#) of NRS;

(f) A clinical professional counselor licensed pursuant to [chapter 641A](#) of NRS; and

(g) A person who is working in this State within the scope of his or her employment by the Federal Government, including, without limitation, employment with the Department of Veterans Affairs, the military or the Indian Health Service, and is:

(1) Licensed or certified as a physician, psychologist, marriage and family therapist, clinical professional counselor, alcohol and drug abuse counselor or clinical alcohol and drug abuse counselor in another state;

(2) Licensed as a social worker in another state and holds a master’s degree in social work; or

(3) Licensed to practice professional nursing in another state and holds a master’s degree in psychiatric nursing or a related field.

(Added to NRS by [2015, 1551, 1817](#))

### **NRS 647.018 “Secondhand dealer” defined.**

1. “Secondhand dealer” means any person engaged in whole or in part in the business of buying and selling metal junk, melted metals or secondhand personal property, other than antiques, used books, coins and collectibles.

2. The term does not include a person who engages in the business of buying or selling secondhand firearms or any antique parts, accessories or other equipment relating to those firearms if:

(a) The person engages in that business at a show that:

(1) Is held at:

(I) A convention facility which is owned or operated by and located on the premises of a resort hotel; or

(II) A recreational facility which is owned or operated by a county fair and recreation board; and

(2) Is conducted for not more than 7 days during any 6-month period; and

(b) The person has been issued a license as a manufacturer, importer, dealer or collector pursuant to the provisions of [18 U.S.C. § 923](#).

(Added to NRS by [1997, 2547](#); A [1999, 2546](#); [2003, 653](#); [2009, 767](#); [2011, 866](#))

### **NRS 647.105 Applicability of provisions to certain persons who buy or sell secondhand firearms or items related to secondhand firearms.**

A person who is described in subsection 2 of [NRS 647.018](#):

1. Shall comply with the provisions of [NRS 647.110](#), [647.120](#) and [647.130](#); and

2. Is subject to the provisions of [NRS 647.140](#) and [647.145](#).

(Added to NRS by [1999, 2545](#))

### **NRS 647.110 Record of transactions; inspection of record and goods.**

1. Every secondhand dealer doing business in any incorporated city or unincorporated town in this State shall maintain in his or her place of business a book or other permanent record in which must be legibly written in the English language, at the time of each purchase, a record thereof containing:

(a) The date of the transaction.

(b) The name or other identification of the person or employee conducting the transaction.

(c) The name, age, driver’s license number, street and house number and a general description of the complexion, color of hair and facial appearance of the person with whom the transaction is had.

(d) If the transaction involves household furniture, the license number of the vehicle delivering each purchase.

(e) A description of the property bought. In the case of watches, the description must contain the name of the maker and the number of the works or the case. In the case of jewelry, all letters and marks inscribed on the jewelry must be included in the description. When the article bought is furniture, or the contents of any house or room actually inspected on the premises, a general record of the transaction is sufficient.

(f) The price paid.

2. The record and all goods received must at all times during the ordinary hours of business be open to the inspection of the prosecuting attorney or of any peace officer.

[Part 1911 C&P § 200; A 1917, 410; 1919 RL § 6465; NCL § 10148] + [1911 C&P § 201; RL § 6466; NCL § 10149]—(NRS A 1971, 931; 1983, 746; 1995, 859)

### **NRS 647.120 Reports of transactions and suspected stolen property to sheriff or chief of police.**

1. Except as otherwise provided in subsection 4, every secondhand dealer doing business in:

(a) Any unincorporated town shall, before 12 m. of each day, furnish to the sheriff of the county a full, true and correct transcript of the record of all transactions had on the preceding day. The transcript must be furnished by mail or by any other means, including, without limitation, by electronic or facsimile transmission, as directed by the sheriff.

(b) Any incorporated city shall, before 12 m. of each day, furnish to the chief of police of the city, a full, true and correct transcript of the record of all transactions had on the preceding day. The transcript must be furnished by mail or by any other means, including, without limitation, by electronic or facsimile transmission, as directed by the chief of police.

2. Every transcript prepared pursuant to subsection 1 must include, but is not limited to:

(a) The date and time of each transaction; and

(b) The identity of the secondhand dealer or employee who conducted the transaction.

□ The person conducting the transaction shall legibly print or type his or her full name and write his or her signature on the transcript. Each transcript must include a certificate, signed by the person selling the property to the secondhand dealer, stating that the person has the legal right to sell the property.

3. Every secondhand dealer doing business in an unincorporated town or in an incorporated city having good cause to believe that any property in his or her possession has been previously lost or stolen shall forthwith report that fact to the sheriff or chief of police, respectively, together with the name of the owner if known, and the date when and the name of the person from whom the secondhand dealer received the property.

4. The provisions of subsection 1 do not apply to any transaction which involves buying, selling or trading used:

(a) Books, periodicals or sound recordings;

(b) Clothing; or

(c) Coins which are not part of any jewelry.

[1911 C&P § 202; A 1917, 410; 1919 RL § 6467; NCL § 10150]—(NRS A 1967, 179; 1983, 746; 1991, 121; [2003, 654](#))

### **NRS 647.130 Retention of marked or otherwise individually identifiable property; exception for motor vehicles.**

1. Except as otherwise provided in subsection 2, no property which has a specific mark for identification or is otherwise individually identifiable and is bought by any secondhand dealer may be removed from his or her place of business at which the transaction occurred within:

(a) Thirty days after the receipt thereof is reported or a record of the receipt of the property is furnished or mailed to the sheriff or the chief of police, if the place of business is located in a county whose population is 700,000 or more; or

(b) Fifteen days after the receipt thereof is reported or a record of the receipt of the property is furnished or mailed to the sheriff or the chief of police, if the place of business is located in a county whose population is less than 700,000.

2. A secondhand dealer who purchases a motor vehicle may, during the period prescribed in subsection 1, remove the motor vehicle from the place of business at which the transaction occurred to a place used by the secondhand dealer for the storage of purchased motor vehicles. Once the motor vehicle is moved to the place of storage, the secondhand dealer shall not remove the motor vehicle from that place during the remainder of the period prescribed in subsection 1.

[Part 1911 C&P § 203; RL § 6468; NCL § 10151]—(NRS A 1983, 747; 1993, 2323; [1997, 2548](#); [2011, 1301](#))

### **NRS 647.132 Peace officer or investigator may place written hold on property possessed by secondhand dealer; procedure for obtaining custody of property; limitations on disposal of property; notice.**

1. A peace officer or investigator who is involved in the investigation or prosecution of criminal activity may place a written hold on any property in the possession of a secondhand dealer that is related or allegedly related to the criminal activity.

2. While a hold is placed on property pursuant to this section, the secondhand dealer shall not remove or dispose of the property to any person other than the peace officer or investigator who placed the hold on the property. A peace officer or investigator who placed a hold on property may obtain custody of the property from the secondhand dealer if the peace officer or investigator:

(a) Has obtained written authorization from the prosecuting attorney which includes, without limitation, a description of the property and an acknowledgment of the secondhand dealer's interest in the property; and

(b) Provides a copy of the written authorization to the secondhand dealer.

3. Property received by a peace officer or investigator pursuant to this section may be disposed of only in the manner set forth in [NRS 52.385](#) or [179.125](#) to [179.165](#), inclusive.

4. A peace officer or investigator who places a hold on property pursuant to this section shall notify the secondhand dealer in writing when the investigation or prosecution has concluded or when the hold is no longer necessary, whichever occurs sooner.

(Added to NRS by [2003, 653](#))

**NRS 706.1517 Authority: Employees who are peace officers may carry firearms.** Employees of the Authority who are peace officers may carry firearms in the performance of their duties. (Added to NRS by [1997, 1925](#))

## NEVADA ADMINISTRATIVE CODES

### FOSTER HOMES

**NAC 424.600 Weapons and ammunition.** ([NRS 424.020](#)) Any weapons, such as firearms, air rifles, bows, hunting knives or hunting sling shots, shall be unstrung and unloaded at all times when children are in the home. They shall be stored in locked containers or rooms out of the reach of children or made inoperable. Ammunition and arrows shall be stored in separate locked containers. Weapons shall not be transported in any vehicle in which children are riding unless the weapons are made inoperable and inaccessible.

[Welfare Div., Req. for Foster Care § 108.4, 10-7-88, eff. 1-1-89]

### CHILD CARE FACILITIES

**NAC 432A.255 Safety concerning weapons.** ([NRS 432A.077](#))

1. Each facility shall ensure that weapons, including, without limitation, firearms, air rifles, bows, hunting knives or hunting slingshots, are not transported in any vehicle of the facility in which children are riding unless the weapons are made inoperable and inaccessible.

2. A licensee of a family home or group home shall ensure that any weapons in the facility are unstrung and unloaded at all times when children are in the facility.

3. A licensee of a family home or group home shall ensure that any weapons in the facility are either stored in locked containers or rooms that are out of the reach of children or are made inoperable.

4. A licensee of a family home or group home shall ensure that any ammunition and arrows in the facility are stored in separate locked containers.

5. Except as otherwise provided in this subsection and [NRS 202.3673](#), weapons are prohibited in any child care center, child care institution or facility for special events. The provisions of this subsection do not apply to a weapon carried by a peace officer or other law enforcement personnel certified by the Peace Officers' Standards and Training Commission pursuant to [NRS 289.550](#).

(Added to NAC by Bd. for Child Care by R112-06, eff. 4-23-2009)

### CONCEALED FIREARMS

**NAC 202.010 Definitions.** ([NRS 202.369](#)) As used in [NAC 202.010](#) to [202.040](#), inclusive, unless the context otherwise requires:

1. "Concealed firearm" has the meaning ascribed to it in subsection 1 of [NRS 202.3653](#).

2. "Permit" has the meaning ascribed to it in subsection 3 of [NRS 202.3653](#).

(Added to NAC by Dep't of Motor Veh. & Pub. Safety, eff. 9-6-96)

**NAC 202.020 Application for permit.** ([NRS 202.369](#))

1. In addition to the requirements of subsection 2, the application form for a permit to carry a concealed firearm must contain the following sections, which must be in substantially the following form:

#### GENERAL INFORMATION

The sheriff shall issue or renew a permit to carry a concealed firearm for no more than two specific firearms to any person who is qualified to possess a firearm under state and federal law.

A permittee shall carry the permit together with proper identification whenever he or she is in actual possession of a concealed firearm. Both the permit and proper identification must be presented to a peace officer upon request.

Except as otherwise provided in [NRS 202.265](#) and subsections 2 and 3 of [NRS 202.3673](#), a permittee shall not carry a concealed firearm into:

1. Any facility of a law enforcement agency;
2. A prison, county or city jail or detention facility;
3. A courthouse or courtroom;
4. Any facility of a public or private school;
5. Any facility of a vocational or technical school, or of the Nevada System of Higher Education;
6. Any other building owned or occupied by the Federal Government, the State or a local government;

or

7. Any other place in which the carrying of a concealed firearm is prohibited by state or federal law.

Unless suspended or revoked by the sheriff, a permit expires on the fifth anniversary of the permittee's birthday, measured from the birthday nearest the date of issuance or renewal. If the date of birth of a permittee is on February 29 in a leap year, for the purposes of [NRS 202.3653](#) to [202.369](#), inclusive, his or her date of birth shall be deemed to be on February 28.

A permittee shall notify the sheriff who issued the permit, in writing, within 30 days if his or her permanent address changes or if the permit is lost, stolen or destroyed.

#### ELIGIBILITY

The sheriff shall conduct an investigation of an applicant, including a check of the applicant's fingerprints, to determine if the person is eligible for a permit.

Except as otherwise provided in [NRS 202.3657](#), a person is eligible to carry a concealed firearm if he or she:

1. Is a resident of the State of Nevada and of the county in which the permit is sought;
2. Is 21 years of age or older;
3. Is not prohibited from possessing a firearm pursuant to [NRS 202.360](#); and
4. Demonstrates competence with a firearm by presenting a certificate or other documentation which shows that the applicant has successfully completed a course approved by the sheriff, or successfully completed a course in firearm safety offered by a federal, state or local law enforcement agency, community college, university or national organization that certifies instructors in firearm safety. Any such course must include instruction in the use of each firearm to which the application pertains and in the laws of the State of Nevada relating to the proper use of a firearm.

The sheriff shall deny an application or revoke a permit to carry a concealed firearm if the sheriff determines that the applicant or permittee:

1. Has an outstanding warrant for his or her arrest.
2. Has been judicially declared incompetent or insane.
3. Has been voluntarily or involuntarily admitted to a mental health facility during the immediately preceding 5 years.
4. Has been habitually using intoxicating liquor or a controlled substance to the extent that his or her normal faculties are impaired. Such use is presumed if, during the immediately preceding 5 years, the applicant or permittee has been convicted of driving under the influence of intoxicating liquor or a controlled substance pursuant to [NRS 484C.110](#), or has been ordered by a court to enter a program for treatment of drug or alcohol abuse pursuant to [NRS 458.290](#) to [458.350](#), inclusive.
5. Has been convicted of a crime involving the use or threatened use of force or violence punishable as a misdemeanor under the laws of this State or any other state, territory or possession of the United States at any time during the immediately preceding 3 years.
6. Has been convicted of a felony in this State or under the laws of any state, territory or possession of the United States.
7. Has been convicted of a crime involving domestic violence or stalking, or is currently subject to a restraining order, injunction or other order for protection against domestic violence.

8. Is currently on parole or probation from a conviction obtained in this State or in any other state or territory or possession of the United States.

9. Has, within the immediately preceding 5 years, been subject to any requirements imposed by a court of this State or any other state or territory or possession of the United States, as a condition to the court's withholding the entry of judgment for a conviction of a felony or the court's suspending a sentence for the conviction of a felony.

10. Has made a false statement on any application for a permit or for the renewal of a permit.

The sheriff may deny an application or revoke a permit if he or she receives a sworn affidavit stating articulable facts based upon personal knowledge from any natural person who is 18 years of age or older that the applicant or permittee has or may have committed an offense or engaged in any other activity specified in subsection 3 of [NRS 202.3657](#) which would preclude the issuance of a permit to the applicant or require the revocation of a permit pursuant to [NRS 202.3657](#).

If an application for a permit is denied by the sheriff, the sheriff shall send the applicant written notification setting forth the reasons for the denial. The applicant may seek judicial review of the denial by filing a petition in the district court for the county in which the applicant resides.

### INFORMATION REGARDING THE APPLICANT

Last name.....  
First name..... Middle initial .....  
Any alias used or former name .....  
Current resident address.....  
City..... Zip.....  
Any previous addresses for the past 5 years,  
Address .....  
City..... Zip.....  
From..... To.....  
Address .....  
City.....  
From..... To.....  
Address .....  
City..... Zip.....  
From..... To.....  
If different from resident address,  
Mailing address.....  
City..... Zip.....  
Residence telephone number .....  
Date of birth..... Place of birth .....  
Citizenship..... Social security number.....  
Race..... Sex ..... Height .....  
Weight..... Hair color..... Eye color.....  
Driver's license number or identification card number .....  
Occupation.....  
Employer's name .....  
Employer's address.....  
City..... Zip.....  
Employer's telephone number .....

Provide the following information concerning each firearm to which the application pertains:

Make.....  
Model .....  
Caliber.....

Make.....  
Model .....  
Caliber.....

The following questions are to be answered either “yes” or “no”:

1. Are there currently any outstanding warrants for your arrest?.....
2. Have you been judicially declared incompetent or insane?.....
3. During the 5 years immediately preceding the date of this application, have you been voluntarily or involuntarily committed to a mental health facility?.....
4. During the 5 years immediately preceding the date of this application, have you been convicted of driving under the influence of alcohol or a controlled substance?.....
5. During the 5 years immediately preceding the date of this application, has a court ordered you to enter a program for the treatment of alcohol or drug abuse?.....
6. During the 3 years immediately preceding the date of this application, have you been charged with or convicted of a crime involving the use or threatened use of force or violence?.....
7. Have you ever been convicted of a felony?.....
8. Have you ever been convicted of a crime involving domestic violence or stalking?...
9. Are you currently subject to a restraining order, injunction or other order for protection against domestic violence?.....
10. Are you currently on parole or probation?.....
11. During the 5 years immediately preceding the date of this application, have you been subject to any requirements imposed by a court as a condition to the court’s withholding the entry of judgment or suspension of a sentence for conviction of a felony?.....

If you answered “yes” to any of the above questions, attach to your application a written statement explaining in detail the circumstances of the incident.

CERTIFICATION

I declare under penalty of perjury that the foregoing application is true and correct.

Executed on.....  
(date) (signature)

Subscribed and sworn to before me this .....(day) of .....(month) of .....(year)

Notary Public or Employee of the Sheriff

2. The application form for a permit to carry a concealed firearm must contain a section entitled “INSTRUCTIONS” that advises the applicant:

- (a) As to the nonrefundable fees that must be submitted;
  - (b) As to the method by which payment of fees must be made;
  - (c) That a complete set of his or her fingerprints taken by the sheriff or an agent thereof must accompany the application;
  - (d) That a front-view colored photograph of the applicant taken by the sheriff or the agent must accompany his or her application;
  - (e) That a certificate or other document that certifies that the applicant has successfully completed a course in firearm safety must accompany the application; and
  - (f) Of any other information required to process the application.
- (Added to NAC by Dep’t of Motor Veh. & Pub. Safety, eff. 9-6-96)

## **NAC 202.030 Application for renewal of permit. ([NRS 202.369](#))**

1. In addition to the requirements of subsection 2, the application form for the renewal of a permit to carry a concealed firearm must contain the following sections, which must be in substantially the following form:

### GENERAL INFORMATION

The sheriff shall issue or renew a permit to carry a concealed firearm for no more than two specific firearms to any person who is qualified to possess a firearm under state and federal law.

A permittee shall carry the permit together with proper identification whenever he or she is in actual possession of a concealed firearm. Both the permit and proper identification must be presented to a peace officer upon request.

Except as otherwise provided in [NRS 202.265](#) and subsections 2 and 3 of [NRS 202.3673](#), a permittee shall not carry a concealed firearm into:

1. Any facility of a law enforcement agency;
2. A prison, county or city jail or detention facility;
3. A courthouse or courtroom;
4. Any facility of a public or private school;
5. Any facility of a vocational or technical school, or of the Nevada System of Higher Education;
6. Any other building owned or occupied by the Federal Government, the State or a local government;

or

7. Any other place in which the carrying of a concealed firearm is prohibited by state or federal law.

Unless suspended or revoked by the sheriff, a permit expires on the fifth anniversary of the permittee's birthday, measured from the birthday nearest the date of issuance or renewal. If the date of birth of a permittee is on February 29 in a leap year, for the purposes of [NRS 202.3653](#) to [202.369](#), inclusive, his or her date of birth shall be deemed to be on February 28.

A permittee shall notify the sheriff who issued the permit in writing within 30 days if his or her permanent address changes or if the permit is lost, stolen or destroyed.

### ELIGIBILITY

Except as otherwise provided in [NRS 202.3657](#), a person is eligible to renew a permit to carry a concealed firearm if he or she:

1. Is a resident of the State of Nevada and of the county in which the permit is sought;
2. Is 21 years of age or older;
3. Is not prohibited from possessing a firearm pursuant to [NRS 202.360](#); and
4. Demonstrates continued competence with a firearm by presenting a certificate or other documentation which shows that the applicant for renewal of a permit has successfully completed a course in firearm safety prescribed by the sheriff renewing the permit.

The sheriff shall deny an application for renewal of a permit or revoke a permit to carry a concealed firearm if the sheriff determines that the applicant for renewal of a permit or permittee:

1. Has an outstanding warrant for his or her arrest.
2. Has been judicially declared incompetent or insane.
3. Has been voluntarily or involuntarily admitted to a mental health facility during the immediately preceding 5 years.
4. Has been habitually using intoxicating liquor or a controlled substance to the extent that his or her normal faculties are impaired. Such use is presumed if, during the immediately preceding 5 years, the applicant for renewal of a permit or permittee has been convicted of driving under the influence of intoxicating liquor or a controlled substance pursuant to [NRS 484C.110](#), or has been ordered by a court to enter a program for treatment of drug or alcohol abuse pursuant to [NRS 458.290](#) to [458.350](#), inclusive.
5. Has been convicted of a crime involving the use or threatened use of force or violence punishable as a misdemeanor under the laws of this State or any other state, territory or possession of the United States at any time during the immediately preceding 3 years.

6. Has been convicted of a felony in this State or under the laws of any state, territory or possession of the United States.

7. Has been convicted of a crime involving domestic violence or stalking, or is currently subject to a restraining order, injunction or other order for protection against domestic violence.

8. Is currently on parole or probation from a conviction obtained in this State or in any other state or territory or possession of the United States.

9. Has, within the immediately preceding 5 years, been subject to any requirements imposed by a court of this State or any other state or territory or possession of the United States, as a condition to the court's withholding the entry of judgment for a conviction of a felony or the court's suspending a sentence for the conviction of a felony.

10. Has made a false statement on any application for a permit or for the renewal of a permit.

The sheriff may deny an application for renewal of a permit or revoke a permit if he or she receives a sworn affidavit stating articulable facts based upon personal knowledge from any natural person who is 18 years of age or older that the applicant for renewal of a permit or permittee has or may have committed an offense or engaged in any other activity specified in subsection 3 of [NRS 202.3657](#) which would preclude the renewal of a permit or require the revocation of a permit pursuant to [NRS 202.3657](#).

If an application for renewal of a permit is denied by the sheriff, the sheriff shall send the applicant for renewal of a permit written notification setting forth the reasons for the denial. The applicant for renewal of a permit may seek judicial review of the denial by filing a petition in the district court for the county in which the applicant resides.

#### INFORMATION REGARDING THE APPLICANT

Last name.....  
First name..... Middle initial .....  
Any alias used or former name .....  
Current resident address.....  
City..... Zip.....  
If different from resident address,  
Mailing address.....  
City..... Zip.....  
Residence telephone number .....  
Date of birth..... Place of birth .....  
Citizenship ..... Social security number .....  
Race..... Sex ..... Height .....  
Weight..... Hair color..... Eye color.....  
Driver's license number or identification card number .....  
Occupation.....  
Employer's name .....  
Employer's address.....  
City..... Zip.....  
Employer's telephone number .....

Provide the following information concerning each firearm to which the application for renewal of a permit pertains:

Make.....  
Model .....  
Caliber.....  
  
Make.....  
Model .....  
Caliber.....

The following questions are to be answered either “yes” or “no”:

1. Are there currently any outstanding warrants for your arrest?.....
2. Have you been judicially declared incompetent or insane?.....
3. During the 5 years immediately preceding the date of this application, have you been voluntarily or involuntarily committed to a mental health facility?.....
4. During the 5 years immediately preceding the date of this application, have you been convicted of driving under the influence of alcohol or a controlled substance?.....
5. During the 5 years immediately preceding the date of this application, has a court ordered you to enter a program for the treatment of alcohol or drug abuse?.....
6. During the 3 years immediately preceding the date of this application, have you been charged with or convicted of a crime involving the use or threatened use of force or violence?.....
7. Have you ever been convicted of a felony?.....
8. Have you ever been convicted of a crime involving domestic violence or stalking?...
9. Are you currently subject to a restraining order, injunction or other order for protection against domestic violence?.....
10. Are you currently on parole or probation?.....
11. During the 5 years immediately preceding the date of this application, have you been subject to any requirements imposed by a court as a condition to the court’s withholding the entry of judgment or suspension of a sentence for conviction of a felony?.....

If you answered “yes” to any of the above questions, attach to your application a written statement explaining in detail the circumstances of the incident.

#### CERTIFICATION

I declare under penalty of perjury that the foregoing application is true and correct.

Executed on.....  
(date) (signature)

Subscribed and sworn to before me this .....(day) of .....(month) of .....(year)

Notary Public or Employee of the Sheriff

2. The application form for the renewal of a permit to carry a concealed firearm must contain a section entitled “INSTRUCTIONS” that advises the applicant for renewal of a permit:

- (a) As to the nonrefundable fees that must be submitted, including the fee imposed if the permittee fails to renew the permit on or before the date of expiration of the permit;
  - (b) As to the method by which payment of fees must be made;
  - (c) That he or she must demonstrate continued competence with a firearm by presenting with the application for renewal of a permit a certificate or other documentation which shows that he or she has successfully completed a course in firearm safety prescribed by the sheriff renewing the permit; and
  - (d) Of any other information required to process the application for renewal of a permit.
- (Added to NAC by Dep’t of Motor Veh. & Pub. Safety, eff. 9-6-96)

**NAC 202.040 Combined form for permit and renewal.** ([NRS 202.369](#)) The sheriff may combine the application form for a permit to carry a concealed firearm and the application form for the renewal of a permit to carry a concealed firearm into a single application form. If the application form for a permit to carry a concealed firearm and the application form for the renewal of a permit to carry a concealed firearm are combined into a single application form, the sheriff shall include a provision in the combined application form allowing the applicant to indicate whether the application is for a new permit or for the renewal of an existing permit.

(Added to NAC by Dep’t of Motor Veh. & Pub. Safety, eff. 9-6-96)

## HUNTING

### **NAC 502.500 Course in safe handling of firearms; fees. ([NRS 501.181](#), [502.340](#), [502.350](#))**

1. The Department will provide a course in the safe handling of **firearms** to all eligible persons. The instructor may collect a fee of \$5 from each person obtaining instruction in the safe handling of **firearms**.

2. The Department will issue a duplicate certificate of successful completion of the course for a fee of \$3.

[Bd. of Wildlife Comm'rs, No. 120 § 3, eff. 11-5-81] — (NAC A 9-20-83; 10-17-86, eff. 1-1-87; 4-18-90) — (Substituted in revision for NAC 502.425)

### **NAC 503.142 Hunting big game mammal with firearm. ([NRS 501.105](#), [501.181](#), [503.150](#))** The Commission hereby establishes the following exceptions to paragraph (b) of subsection 1 of [NRS 503.150](#):

1. During a type of hunt that is restricted to **muzzle-loading firearms**, a person may hunt a big game mammal only with a **muzzle-loading rifle or muzzle-loading musket**, and may use only a **lead ball, a lead bullet, a semi-jacketed bullet or a metal alloy bullet that expands**. The use of **smokeless powder** is prohibited. Only **black powder or a black powder substitute** may be used as a propellant. A **sabot round** may be used. The **muzzle-loading rifle or muzzle-loading musket** must have the following characteristics:

(a) A **wheel lock, matchlock or flintlock ignition system, or a percussion ignition system that uses a primer or percussion cap**;

(b) A **single barrel of caliber .45 or larger; and**

(c) Except as otherwise provided in [NAC 503.146](#), **open sights or peep sights**. The use of a sight that is operated or powered by a **battery, electronics or a radioactive isotope such as tritium** is prohibited.

➤ **The muzzle-loading rifle or the muzzle-loading musket is deemed to be not loaded if the priming compound or element, such as the priming powder or the unfired primer or percussion cap, is removed.**

2. During a type of hunt that is restricted to **muzzle-loading firearms**, it is unlawful for a person hunting under the authority of a tag for such a hunt to carry in the field a **firearm or bow and arrow** except for:

(a) A **muzzle-loading rifle or a muzzle-loading musket with the characteristics set forth in subsection 1; or**

(b) A **handgun which has a barrel length of less than 8 inches and is not equipped with a telescopic sight**, except that it is unlawful to use such a **handgun** to hunt a big game mammal.

3. During a type of hunt in which the use of any legal weapon is authorized by a regulation of the Commission, a person may hunt a big game mammal with a **muzzle-loading rifle or muzzle-loading musket** only if:

(a) **The muzzle-loading rifle or muzzle-loading musket has:**

(1) A **single barrel of caliber .45 or larger; and**

(2) **Open sights, peep sights or a rifle scope.**

(b) **The person uses a lead ball, a lead bullet, a semi-jacketed bullet or a metal alloy bullet that expands. A sabot round may be used.**

➤ **The muzzle-loading rifle or muzzle-loading musket is deemed to be not loaded if the priming compound or element, such as the priming powder or the unfired primer or percussion cap, is removed.**

4. A person may hunt big game mammals with a rifle if the rifle uses a **centerfire cartridge of caliber .22 or larger**.

5. A person may hunt big game mammals with a handgun if the handgun uses a **centerfire cartridge, has a barrel length of 4 inches or more and:**

(a) **Uses a cartridge of caliber .22 or larger with an overall loaded length of 2 inches or more; or**

(b) **Uses a cartridge of caliber .24 or larger with a case of length no less than the length of the case of a cartridge for a Remington magnum of caliber .44.**

6. A person may hunt deer and mountain lion with a **shotgun no larger than 10 gauge and no smaller than 20 gauge**. Only **rifled slugs or shotgun rounds with sabots that contain a single expanding projectile** may be used when hunting deer. A **shotgun that is used to hunt deer or mountain lion pursuant to this subsection** may be equipped with a **smoothbore barrel or a barrel that is partially or fully rifled**.

[Bd. of Fish & Game Comm'rs, No. 25 § 6, eff. 12-4-79 + No. 26 § 6, eff. 12-4-79, A 5-12-80] — (NAC A by Bd. of Wildlife Comm'rs, 9-19-90; R155-97, 3-2-98; R176-03, 4-8-2004; R093-05, 10-31-2005; R185-05, 2-23-2006; R138-09, 4-20-2010; R045-14, 6-23-2014; R107-14, 12-22-2014; R007-15, 10-27-2015)

**NAC 503.170 Restrictions on deer hunting in particular areas; prohibition on use or possession of certain shotgun rounds in particular areas. ([NRS 501.105](#), [501.181](#))**

1. In the fenced or cultivated lands of the Smith and Mason Valleys, in the Mason Valley Wildlife Management Area and in the zones within the Fort Churchill State Historic Park and the Lahontan State Recreation Area that are designated for hunting by the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources:

(a) Deer may be hunted only with:

(1) A **shotgun no larger than 10 gauge and no smaller than 20 gauge**, using:

(I) **Rifled slugs**; or

(II) **Shotgun rounds with sabots that contain rifled slugs or a single expanding projectile**; or

(2) A bow and arrow.

(b) **The use or possession of shotgun rounds with sabots that contain other than rifled slugs or a single expanding projectile is prohibited.**

2. **A shotgun that is used to hunt deer pursuant to subsection 1 may be equipped with a smoothbore barrel or a barrel that is partially or fully rifled.**

3. In the Mason Valley Wildlife Management Area:

(a) Deer may be hunted only on the following days during the season set for the hunting of deer:

(1) Saturdays, Sundays and Wednesdays;

(2) Nevada Day, as observed, pursuant to [NRS 236.015](#);

(3) November 11, Veteran's Day;

(4) Thanksgiving Day; and

(5) Family Day, as declared pursuant to [NRS 236.015](#).

(b) Deer may be hunted only with a bow and arrow during the season set for the archery hunt for deer.

[Bd. of Fish & Game Comm'rs, No. 26 § 9, eff. 12-4-79; A 7-1-80] — (NAC A by Bd. of Wildlife Comm'rs, 8-22-86, eff. 9-15-86; 10-16-87; R155-97, 3-2-98; R054-02, 11-19-2002, eff. 3-1-2003; R185-05, 2-23-2006; R107-14, 12-22-2014)

**NAC 503.183 Hunting of certain migratory game birds: Nontoxic shot required; possession of noncomplying shot prohibited. ([NRS 501.105](#), [501.181](#), [503.150](#))**

1. A hunter of ducks, mergansers, geese, swans, coots, gallinules or snipe shall use **nontoxic shot in muzzleloaders or in shells for a shotgun** when hunting in this State.

2. The possession of **shells for a shotgun which contain other than nontoxic shot is prohibited while hunting any birds designated in subsection 1.**

3. **The possession of shot for a muzzle-loading shotgun other than nontoxic shot is prohibited while hunting any birds designated in subsection 1.**

(Added to NAC by Bd. of Wildlife Comm'rs, 8-22-86, eff. 9-15-86; A 10-16-87; 9-22-88; 9-19-90; 9-13-91; 10-13-95; R054-02, 11-19-2002, eff. 3-1-2003)

**NAC 503.145 Sight attached to firearm, bow or crossbow. ([NRS 501.105](#), [501.181](#), [503.150](#))**

The Commission hereby establishes the following exception to paragraph (f) of subsection 1 of [NRS 503.150](#). Except as otherwise provided by paragraph (c) of subsection 1 of [NAC 503.142](#), a sight attached to a **firearm** or bow that is used to hunt a game mammal or game bird, or a sight attached to a crossbow that is used to hunt a big game mammal, may be illuminated or powered by:

1. A battery contained within the sight;

2. Light-gathering fiber optics;

3. A radioactive isotope such as tritium; or

4. Iridescent or fluorescent paint.

↪ It is unlawful for a person to hunt a big game mammal, a game mammal or a game bird with a **weapon that is equipped with a sight that is capable of casting or projecting a beam of light that is visible to the unaided human eye from the sight to the animal.**

(Added to NAC by Bd. of Wildlife Comm'rs by R176-03, eff. 4-8-2004; A by R093-05, 10-31-2005; R152-06, 5-21-2007; R151-12, 12-20-2012; R107-14, 12-22-2014)

**NAC 503.187 Weapons and type of shot permitted for hunting wild turkey. ([NRS 501.105](#), [501.181](#), [503.150](#))**

1. No weapon other than a:
    - (a) Shotgun which is no larger than 10 gauge nor smaller than 20 gauge and uses a shot size no larger than a number 2 pellet; or
    - (b) Bow and arrow,  
↳ may be used to hunt wild turkey.
  2. Shot used to hunt wild turkey on a wildlife management area must be:
    - (a) Nontoxic shot; and
    - (b) Not larger than standard-size T.
- (Added to NAC by Bd. of Wildlife Comm'rs, eff. 9-19-90; A by R054-02, 11-19-2002, eff. 3-1-2003; R107-14, 12-22-2014)

**NAC 504.105 Wildlife highway crossings. ([NRS 501.105](#), [501.181](#))**

1. Except as otherwise provided in subsection 2 and [NRS 202.287](#), [503.010](#) and [503.175](#), a person shall not:
    - (a) Hunt or take any big game mammal within one-half mile of a wildlife highway crossing.
    - (b) Discharge a firearm from, upon, over or across a wildlife highway crossing.
  2. The provisions of this section do not apply to an officer, employee or agent of the Department acting in his or her official capacity.
  3. As used in this section, "wildlife highway crossing" means any overpass or underpass designed and constructed to facilitate the safe passage of wildlife across a highway.
- (Added to NAC by Bd. of Wildlife Comm'rs by R005-10, eff. 8-13-2010)

**NAC 504.135 Restrictions on use of firearms and ammunition. ([NRS 501.105](#), [501.181](#), [503.150](#), [504.140](#), [504.143](#))**

1. Except as otherwise provided in subsection 6, the discharging of a rifle or pistol is prohibited on the following wildlife management areas:
  - (a) Overton in Clark County.
  - (b) Key Pittman in Lincoln County.
  - (c) Wayne E. Kirch in Nye County.
  - (d) Scripps in Washoe County.
  - (e) Mason Valley in Lyon County.
2. Deer may be hunted on the Mason Valley and Wayne E. Kirch Wildlife Management Areas only by persons using:
  - (a) Shotguns and rifled shotgun slugs or shotgun rounds with sabots that contain a single expanding projectile; or
  - (b) Bows and arrows.↳ A shotgun that is used to hunt deer pursuant to this subsection may be equipped with a smoothbore barrel or a barrel that is partially or fully rifled.
3. The use of shotguns capable of holding more than three shells is prohibited on all wildlife management areas owned or managed by this State unless the shotgun is plugged with a one-piece filler, incapable of removal without disassembling the gun, so that the total capacity of the shotgun does not exceed three shells.
4. The use or possession of shells for a shotgun containing shot that is toxic or larger than standard-size T is prohibited on the following wildlife management areas:
  - (a) Overton in Clark County.
  - (b) Key Pittman in Lincoln County.
  - (c) Wayne E. Kirch in Nye County.

- (d) Scripps in Washoe County.
- (e) Mason Valley in Lyon County.
- (f) Fernley in Lyon County.
- (g) Alkali Lake in Lyon County.
- (h) Humboldt in Churchill and Pershing Counties.
- (i) Steptoe Valley in White Pine County.
- (j) Franklin Lake in Elko County.

5. The use or possession of shotgun rounds with sabots that contain other than rifled slugs or a single expanding projectile is prohibited on all wildlife management areas owned or managed by this State.

6. The provisions of subsection 1 do not apply to persons authorized by the Department to use rifles and pistols for the control of predatory animals and rodents.

7. For the purposes of this section, all shot shall be deemed toxic unless it has been approved as nontoxic by the United States Fish and Wildlife Service pursuant to 50 C.F.R. § 20.134.

[Bd. of Fish & Game Comm'rs, No. 9 § 23.01-9, eff. 12-29-66; A 10-1-73; 9-1-78; 9-1-80]—(NAC A by Bd. of Wildlife Comm'rs, 1-2-86; 8-22-86, eff. 9-15-86; 10-16-87; 9-13-91; R054-02, 11-19-2002, eff. 3-1-2003; R185-05, 2-23-2006; R107-14, 12-22-2014)

**NAC 504.158 Responsibilities of person who intends to hunt. (NRS 501.181)** It is the responsibility of a person who intends to hunt on any land located within a management area or unit to:

- 1. Determine the identity of the owner of the land before the person enters the management area or unit; and
- 2. Obtain from the owner, or from the appropriate municipal, county, state, federal or tribal authorities, information concerning any restriction, closure, ordinance or fee that applies to the management area or unit.

(Added to NAC by Bd. of Wildlife Comm'rs by R150-12, eff. 12-20-2012)

**NAC 504.340 Areas closed to hunting and trapping. (NRS 501.105, 501.181, 503.595)**

1. Except as otherwise provided in this section:

(a) The following areas are closed to all hunting and trapping:

(1) Those portions of the Lake Mead National Recreation Area which are within:

(I) A 1-mile radius of Overton Landing, Willow Beach, Rogers Spring, the area for cabins at Stewart's Point, Echo Bay, Eldorado Canyon, Cottonwood Cove and the petroglyphs of Grapevine Canyon.

(II) The Lower or Boulder Basin, including all of the area from Hoover Dam to a line running north and south near the peninsula between Hamblin Bay and Rotary Cove. The townships or portions of them located within the Lake Mead National Recreation Area and included within this closed area are: T. 20 S., R. 63 E., R. 64 E., R. 65 E.; Sections 6, 7 and 18 of T. 21 S., R. 66 E.; T. 21 S., R. 63 E., R. 63 1/2 E., R. 64 E., R. 65 E. and T. 22 S., R. 64 E. and R. 65 E., M.D.B. & M.

(III) A 1/2-mile strip parallel to the west shoreline of Lake Mohave from Hoover Dam south to a point 2 miles south of the campground at Willow Beach.

(IV) The area of land extending 1/2 mile west of the water elevation of Lake Mohave and the Colorado River between the southern boundary of the Lake Mead National Recreation Area and the crossing of those cables of the power line located approximately 5 1/4 miles north of Davis Dam and all waters between that cable and the southern boundary.

(2) All portions of the Stillwater National Wildlife Refuge in Churchill County south of Division Road, except that trapping is allowed to the extent authorized pursuant to 50 C.F.R. §§ 31.14 and 31.16.

(3) All portions of the Ruby Lake National Wildlife Refuge, except that:

(I) Hunting is allowed pursuant to 50 C.F.R. § 32.47 on designated areas of the refuge in Elko and White Pine Counties and to the extent authorized by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to [NRS 501.118](#); and

(II) Trapping is allowed to the extent authorized pursuant to 50 C.F.R. §§ 31.14 and 31.16 and by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to [NRS 501.118](#).

(4) All portions of the Death Valley National Park.

(5) All portions of the Sheldon National Wildlife Refuge, except that hunting is authorized on designated areas of the refuge pursuant to 50 C.F.R. § 32.47, to the extent permitted by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to [NRS 501.118](#).

(6) All portions of Clark, Lincoln and Nye Counties within the boundaries of the Nevada Test and Training Range, the Nevada National Security Site and the Desert National Wildlife Refuge, except that the hunting of bighorn sheep is authorized in certain described portions of the Desert National Wildlife Refuge pursuant to 50 C.F.R. § 32.47 and the Nevada Test and Training Range, to the extent authorized by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to [NRS 501.118](#).

(7) All portions of Clark, Lincoln and Nye Counties within the boundaries of the Nevada Test and Training Range, the Nevada National Security Site and the Desert National Wildlife Refuge, except that certain described portions of the Desert National Wildlife Refuge, not within the Nevada Test and Training Range, will be opened for the hunting of deer pursuant to 50 C.F.R. § 32.47, to the extent authorized by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to [NRS 501.118](#).

(8) All portions of the Pahrnatagat National Wildlife Refuge in Lincoln County, except that hunting is permitted on designated areas of the refuge pursuant to 50 C.F.R. § 32.47, to the extent authorized by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to [NRS 501.118](#).

(9) All portions of the Great Basin National Park.

(10) All portions of the Ash Meadows National Wildlife Refuge, except that hunting is permitted on designated areas of the refuge pursuant to 50 C.F.R. § 32.47, to the extent authorized by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to [NRS 501.118](#).

(b) Trapping is prohibited within 1,000 feet of each side of the following designated hiking trails established within that portion of the Humboldt-Toiyabe National Forest that is located north of the Washoe County-Carson City line, west of U.S. Highway No. 395 and south of U.S. Interstate Highway No. 80:

- (1) Hunter Creek Trail, United States Forest Service Trail No. 21053;
- (2) Jones Creek-Whites Creek Trail, United States Forest Service Trail No. 21056;
- (3) Ophir Creek Trail, United States Forest Service Trail No. 21059;
- (4) Tahoe Rim Trail, United States Forest Service Trail No. 21055; and
- (5) Thomas Creek Trail, United States Forest Service Trail No. 21057.

(c) Trapping is prohibited, other than with a box or cage trap, within 1,000 feet of each side of the following designated hiking trails, campgrounds, picnic areas and recreation areas established within that portion of the Humboldt-Toiyabe National Forest that is located west of U.S. Highway No. 95 and north and east of State Route No. 160 in the Spring Mountains National Recreation Area:

- (1) Bristlecone Trail, United States Forest Service Trail No. 148;
- (2) Cathedral Rock Trail, United States Forest Service Trail No. 155;
- (3) Echo/Little Falls Trail, United States Forest Service Trail No. 141;
- (4) Fletcher Canyon Trail, United States Forest Service Trail No. 165;
- (5) Griffith Peak Trail, United States Forest Service Trail No. 140;
- (6) Mary Jane Falls Trail, United States Forest Service Trail No. 159;
- (7) Mummy Springs Trail, United States Forest Service Trail No. 161;
- (8) North Loop Trail, United States Forest Service Trail No. 146;
- (9) Robber's Roost Trail, United States Forest Service Trail No. 162;
- (10) Sawmill Loop Trail, United States Forest Service Trail No. 973;
- (11) South Loop Trail, United States Forest Service Trail No. 145;
- (12) Trail Canyon Trail, United States Forest Service Trail No. 147;
- (13) Dolomite Campground;
- (14) Fletcher View Campground;
- (15) Hilltop Campground;
- (16) Kyle Canyon Campground and Picnic Area;
- (17) Mahogany Grove Group Campground;
- (18) McWilliams Campground;
- (19) Cathedral Rock Picnic Area;
- (20) Cathedral Rock Group Picnic Area;
- (21) Deer Creek Picnic Area;
- (22) Foxtail Group Picnic Area;

- (23) Old Mill Picnic Area;
- (24) Sawmill Picnic Area; and
- (25) Blue Tree Dispersed Recreation Area, including United States Forest Service Trail Nos. 849, 850, 851 and 852.

(d) Trapping is prohibited, other than with a box or cage trap, within one-half mile of any residence in the Spring Mountains National Recreation Area, T. 19 S., R. 59 E., Sections 3, 7, 8, 9, 10 and 16.

(e) Trapping is prohibited, other than with a box or cage trap, within 200 feet of each side of the following designated multi-use routes:

- (1) Cardamine Road, United States Forest Service Road No. 001;
- (2) Champion Road, United States Forest Service Road No. 203;
- (3) Mack's Canyon Road, United States Forest Service Road Nos. 073, 073A and 073B;
- (4) Power Line Road, United States Forest Service Road Nos. 577, 577A, 577B, 872 and 873; and
- (5) Telephone Canyon Road, United States Forest Service Road Nos. 530 and 530A.

2. The provisions of paragraphs (b), (c) and (d) of subsection 1 do not prohibit the lawful placing or setting of a trap or snare inside a fence on private property that is located or partially located within 1,000 feet of a trail specified in paragraph (b) of that subsection or a road, trail, campground, picnic area, recreation area or residence specified in paragraphs (c) and (d) of that subsection.

3. A person who holds a permit issued pursuant to [NAC 503.710](#) to [503.740](#), inclusive, may trap in any area specified in subsection 1 in accordance with that permit.

4. As used in this section:

(a) "Box or cage trap" means a device that is designed to contain or confine an animal within a box or cage. The term does not include any device that is designed, built or made to close upon or hold fast any portion of an animal.

(b) "Residence" means any house, room, apartment, tenement or other building designed or intended for occupancy as a residence.

[Bd. of Fish & Game Comm'rs, No. 78-3(A) § 10, eff. 5-20-78; A by Bd. of Wildlife Comm'rs, 11-1-79; 5-12-80; 9-1-80]—(NAC A 11-5-81; 1-1-83; 11-10-83; 5-9-88; 9-15-89; R062-99, 8-19-99; R108-07, 12-4-2007; R158-12, 12-20-2012)

### **NAC 504.755 General requirements. ([NRS 501.105](#), [501.181](#), [504.370](#))**

1. Before any hunting may be done on a commercial or private shooting preserve, the licensee must advise the Department, in writing, of the number of each species of upland game bird reared, purchased or acquired for liberation, and request, and receive in writing, a hunting authorization that states the number of each species which may be hunted.

2. Birds must be at least 8 weeks of age, full-winged and in a condition to go wild before liberation.

3. From August 1 to April 30, inclusive, the licensee, or with the licensee's written permit, the holder thereof, may take an upland game bird from a licensed preserve only by means of a shotgun, a bow and arrow, or falconry.

4. Permits to hunt on a licensed preserve may be used only during the period specified on such permits, and the hunter must carry a valid permit on his or her person at all times while on the area and while in possession of birds taken on the area.

(Added to NAC by Bd. of Wildlife Comm'rs by R080-04, eff. 8-25-2004; A by R107-14, 12-22-2014)

## **PRIVATE INVESTIGATORS**

### **NAC 648.345 Prerequisites; certification of firearms instructors; renewal. ([NRS 648.030](#), [648.120](#))**

1. A licensee or an employee who is registered pursuant to [NRS 648.1493](#) may not carry any **firearm** while performing the duties for the type of business for which he or she is licensed or employed unless the licensee or employee:

- (a) Is certified by the Board as a **firearms instructor** pursuant to subsection 2; or

(b) Has successfully completed and received certification from a course of training approved by the Board in carrying, [handling and using firearms safely](#).

2. The Board may certify a person who meets the requirements of subsection 1 of [NRS 648.110](#) as a [firearms instructor in carrying, handling and using firearms safely if the applicant](#):

(a) Is at least 21 years of age.

(b) Has not been convicted of a felony or any crime involving the [illegal use or possession of a firearm](#).

(c) Submits a completed application with proof satisfactory to the Board of the applicant's qualifications and experience and pays a fee of \$100. The application must include:

(1) A detailed statement of the applicant's qualifications and experience in [carrying, handling and using firearms](#).

(2) A detailed statement of the applicant's qualifications and experience in providing instruction to other persons in carrying, [handling and using firearms safely](#), including, without limitation, the applicant's experience in providing instruction to peace officers, security officers or military personnel in [carrying, handling and using firearms safely](#).

(3) Evidence of the applicant's successful completion of at least 40 hours of training on the instruction of peace officers, security officers or military personnel [in carrying, handling and using firearms safely](#), and evidence of the applicant's certification as an instructor for peace officers, security officers or military personnel for each type of [firearm](#) for which the applicant wishes to provide such instruction.

(d) Successfully passes a written examination for [firearms instructors](#), which must include, without limitation, questions relating to:

(1) The applicable federal and state laws and regulations, local government ordinances and court decisions related to [carrying, handling and using firearms and the use of deadly force](#).

(2) The requirements of this chapter and [chapter 648](#) of NRS and any administrative requirements.

(3) The civil and criminal liability related to [carrying, handling and using firearms](#) and the use of deadly force.

(4) The process for conducting and the contents of the minimum curriculum for a course of training in [carrying, handling and using firearms](#) safely pursuant to [NAC 648.346](#).

(e) Successfully passes a [live fire skills](#) test for firearms instructors by:

(1) Demonstrating each of the skills required by the minimum curriculum for a course of [training in carrying, handling and using firearms](#) safely pursuant to [NAC 648.346](#).

(2) Qualifying with the course of fire established by the Board pursuant to [NAC 648.346](#) with a minimum score of 275 out of 300 on a full-size B27-type target for [each type of firearm](#) for which the applicant wishes to provide such instruction.

(3) Demonstrating knowledge of the minimum curriculum for a course of training in [carrying, handling and using firearms](#) safely pursuant to [NAC 648.346](#) by successfully teaching any section of the course with not more than 15 minutes of notice from an instructor designated by the Board.

➤ At any time during the live fire skills test, an instructor designated by the Board may prohibit an applicant from proceeding because the applicant has demonstrated a skill deficiency or has committed a safety violation.

3. To renew the applicant's certification as a firearms instructor, the applicant must:

(a) Submit an application for renewal to the Board on or before July 1 next following the date the certificate was issued or last renewed;

(b) Submit proof satisfactory to the Board of the completion of at least 8 hours of education or training on the subjects described in [NAC 648.346](#) within the previous 12 months; and

(c) Pay a fee to the Board of \$100.

4. As evidence of a person's [certification as a firearms instructor](#) or renewal thereof, the Board will issue to the person a certification card which he or she shall carry on his or her person.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 11-13-85; A 9-18-87; 4-22-93; 10-25-93; R009-10, 8-13-2010; R047-12 & R067-12, 10-23-2013)

**NAC 648.346 Course of training: Required curriculum; written examination; instruction and training on firing range; request for exemption by certain instructors; substitute course. ([NRS 648.030](#))**

1. Except as otherwise provided in subsection 5, the minimum curriculum for a course of training in carrying, handling and using firearms safely that is taught for the purposes of [NRS 648.030](#) must include instruction designed to teach:

- (a) The legal and civil responsibilities of carrying, handling and using a firearm, including:
  - (1) The applicable federal and state laws and regulations and local governmental ordinances related to carrying, handling and using firearms and the use of deadly force.
  - (2) The civil and criminal liability related to carrying, handling and using firearms and the use of deadly force.
  - (3) The consequences and risks related to carrying, handling and using firearms and the use of deadly force.
  - (4) The elements of self-defense, using a weapon in self-defense and the use of force.
  - (5) Recent court decisions related to carrying, handling and using firearms and the use of deadly force.
- (b) The terminology related to and the maintenance of different types of firearms and their related systems, including:
  - (1) The operational and mechanical systems and parts of a firearm and the related terminology.
  - (2) The types of ammunition and their ballistic properties and effective uses.
  - (3) The inspection, storage and general care of ammunition.
  - (4) The inspection, care, cleaning and maintenance of a firearm.
- (c) Carrying, handling and using a firearm safely, including:
  - (1) The safe handling, use and storage of firearms when off duty.
  - (2) The safe transportation of a firearm.
  - (3) The appropriate methods of safely carrying a firearm while on duty.
  - (4) Safety and accessory equipment available to carry, handle and use a firearm safely.
- (d) The fundamentals of safe handling and shooting of firearms, including:
  - (1) The fundamentals of operating a handgun.
  - (2) The general differences among handguns.
  - (3) The proper procedures and devices for loading, unloading and reloading a firearm.
  - (4) The fundamentals of shooting, such as the use of sights, sight picture and alignment, control of the trigger, breathing and firing in a single or double action.
  - (5) Proper techniques for gripping a handgun and shooting positions.
  - (6) Procedures for drawing and holstering a firearm and techniques for retaining a firearm.
  - (7) The various positions for shooting when standing or kneeling.
  - (8) The use of barricades or other forms of cover and alternate shooting positions.
- (e) The preparation for shooting at a firing range, including:
  - (1) The location of the range.
  - (2) The equipment to be used at the range.
  - (3) The course of fire.
  - (4) Targets to be used.
  - (5) Commands at the range.
  - (6) Safety and etiquette at the range.
- (f) Exercises to be used at a firing range and the practical use of a firearm at the firing range, including:
  - (1) The review of safety procedures and etiquette at the firing range and a safety inspection of all firearms, holsters and accessories.
  - (2) Practicing drawing and holstering.
  - (3) Dry firing, the manipulation of the trigger and follow through.
  - (4) The procedures for loading, unloading and reloading.
  - (5) Exercises for firing with live ammunition to practice proper shooting techniques while firing at targets with a firearm of the same type and caliber as the firearm the person will use while on duty.
  - (6) Qualifying with a course of fire established by the Board, using a firearm of the same type and caliber as the firearm the person will use while on duty. The course of fire must require firing at least 30 rounds of live ammunition with a passing score of 75 percent, and must include drawing and:

(I) Shooting 5 rounds of ammunition from a distance of 3 yards in 15 seconds using only the dominant hand;

(II) Transferring the firearm to the support hand and shooting 5 rounds of ammunition from a distance of 3 yards in 15 seconds using only the support hand;

(III) Shooting 5 rounds of ammunition while standing, reloading the firearm and shooting 5 rounds of ammunition while kneeling, from a distance of 7 yards in 30 seconds; and

(IV) Shooting 5 rounds of ammunition while standing, reloading the firearm and shooting 5 rounds of ammunition while kneeling, from a distance of 15 yards in 30 seconds,

↳ on a full-size B27-type target. The scoring areas on the target are the “X” in the center of the target, which receives a score of 10, and the 10, 9, 8 and 7 rings. Any hits outside of such areas do not receive a score.

2. Except as otherwise provided in subsection 5, the course must consist of:

(a) Eight hours of training and instruction on carrying, handling and using a firearm safely, including the completion of a written examination designated by the Board, with a passing score of 75 percent.

(b) A minimum of 5 hours of instruction and training on a firing range during which each person must qualify using a firearm of the same type and caliber as the firearm the person will use while on duty.

3. The course must be completed within a period of 14 days. Each day of the course must consist of a number of contact hours of training. Not more than 9 contact hours of training may occur on any day.

4. If a person fails to complete the written examination with a passing score of 75 percent as specified in paragraph (a) of subsection 2 or to qualify using a firearm of the same type and caliber as the firearm the person will use while on duty as specified in subparagraph (6) of paragraph (f) of subsection 1:

(a) Except as otherwise provided in paragraph (b), the person must repeat the course in full before retaking the written examination and firearm qualification.

(b) At the discretion of the instructor, for good cause shown, the person may retake the written examination and the firearm qualification without repeating the course in full if the person completes such remedial training as the instructor determines is appropriate, taking into account the person’s performance on the previous written examination and firearm qualification. The instructor may charge an additional fee for the remedial training.

5. If a firearms instructor is unable to provide a course which meets the requirements of this section because he or she provides security on a military installation and has no other reasonable means to provide the training and qualification required for such a course, he or she may submit a written request to the Executive Director asking for an exemption from those requirements and permission to offer a course with substitute training and qualification for persons employed on that military installation. When requesting an exemption pursuant to this subsection, the firearms instructor must provide:

(a) Proof of his or her inability to provide a course which meets the requirements of this section and to make reasonable accommodations to provide the training and qualification required for such a course; and

(b) A copy of the proposed substitute training and qualification and a signed affirmation, on a form provided by the Board, acknowledging that any person who successfully completes the course is required to sign a form pursuant to subsection 6.

↳ The Executive Director may, in his or her discretion and on a case-by-case basis, grant an exemption pursuant to this subsection after taking into consideration the totality of the circumstances.

6. Before a person who successfully completes a course pursuant to subsection 5 may carry a firearm on the military installation on which he or she is employed, the person must sign an affirmation, on a form provided by the Board, acknowledging that:

(a) He or she is only authorized to carry a firearm of the same type and caliber that he or she is qualified to carry and only on the military installation where he or she is employed; and

(b) The certification card issued to the person pursuant to [NAC 648.350](#) will be confiscated upon termination of his or her employment on the military installation.

7. As used in this section, “contact hour” means 50 minutes of instruction in a period of 60 minutes.

(Added to NAC by Priv. Investigator’s Lic. Bd., eff. 11-18-87; A 10-25-93; R009-10, 8-13-2010; R067-12, 10-23-2013)

**NAC 648.348 Course of training: Compliance with established curriculum; failure to comply; request for exemption to conduct course outside this State. ([NRS 648.030](#))**

1. A person who is certified as a firearms instructor by the Board shall not conduct a course of training in carrying, handling and using firearms safely for the purposes of [NRS 648.030](#) unless the course follows the curriculum established in [NAC 648.346](#).

2. A person who fails to comply with subsection 1 is subject to:

(a) The issuance of a letter by the Executive Director that requires the person to cease and desist conducting the course of training;

(b) Disciplinary action, which may include, without limitation, probation, suspension or revocation of his or her certification; or

(c) A fine for the cost of any investigation into the person's failure to comply with that subsection.

3. Except as otherwise provided in this subsection, all courses of training must take place within this State. The Executive Director may, upon receipt of a written request by a firearms instructor, grant an exemption and authorize the instructor to conduct a course of training outside this State. As a condition of the Executive Director granting such an exemption and in order to ensure that any such course complies with the laws of this State, the instructor shall agree to reimburse the Board for any fees and costs relating to the auditing of the course, including, without limitation, investigative fees and traveling and lodging expenses for any investigator involved in auditing the course. Any course of training that occurs outside this State cannot be combined or taught simultaneously with any other course of training.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 11-18-87; A 10-25-93; R009-10, 8-13-2010; R067-12, 10-23-2013)

**NAC 648.350 Course of training: Certification of successful completion and qualification with firearm; issuance of certification card; maintenance of certification; repetition of course and request for exemption by certain persons; fees; duties of certified person. ([NRS 648.030](#))**

1. To certify a person's successful completion of the course of training in carrying, handling and using firearms safely, and his or her successful qualification with a firearm, a firearms instructor shall, within 5 days of the person's successful completion of the course of training and on a form provided by the Board, submit to the Board the person's name and registration number, the time, date and location of the course of training, and the certifications and qualifications that the person obtained.

2. After receipt of the information submitted pursuant to subsection 1, the Board will:

(a) Issue to a person who has successfully completed the course of training a plastic certification card which contains the name, photograph and registration number of the person, the expiration date of the person's certification and the designated qualification months established for that person pursuant to subsection 3; and

(b) Maintain an electronic record for each person who has been issued a certification card pursuant to paragraph (a) that indicates whether the person's card is valid and lists each type and caliber of firearm that the person is certified to carry, handle and use.

3. A person who has been certified pursuant to this section and who wishes to maintain his or her certification must successfully qualify for certification every 6 months, on any day during his or her designated qualification months. The designated qualification months are determined by the month of the person's initial qualification and will not change. If, after a person's initial qualification, the person successfully qualifies for certification or for a different type or caliber of firearm during a month that is not one of his or her designated qualification months, the person must successfully qualify again during his or her next designated qualification month, even if the period between such qualifications is less than 6 months. The qualification cycle will be as follows:

Initial course month

January or July

February or August

March or September

April or October

Designated qualification months

January and July

February and August

March and September

April and October

May or November  
June or December

May and November  
June and December

4. The certification card issued pursuant to subsection 2 is valid for 5 years if the person successfully qualifies every year during each of his or her designated qualification months on a course of fire that is given by a certified firearms instructor and is approved by the Board. If the person fails to qualify during any of his or her designated qualification months, the card becomes invalid and the person shall not use a firearm in the course of employment until he or she successfully qualifies.

5. Except as otherwise provided in this subsection, if a person fails to qualify for at least 2 successive designated qualification months or his or her certification card expires, he or she must repeat the course of training. If a person fails to qualify during at least 2 successive designated qualification months or his or her certification card expires because he or she is deployed on full-time active duty in the Armed Forces of the United States, the person may request an exemption from repeating the course of training by submitting a written request along with official documentation of such deployment to the Executive Director. The Executive Director may, in his or her discretion and on a case-by-case basis, grant an exemption pursuant to this subsection after taking into consideration the totality of the circumstances.

6. To cover the Board's administrative costs related to the certification and qualification of a person by a certified firearms instructor, the instructor shall remit to the Board \$25 for each certification card issued by the Board pursuant to this section and \$5 for each qualification of a person pursuant to subsection 3. If a person's certification card is lost or stolen, the person must remit to the Board \$25 to obtain a replacement card.

7. The person to whom the certification card is issued shall:

- (a) Have it in his or her possession while carrying a firearm in the performance of his or her duties;
- (b) Produce it upon the request of any peace officer or a representative of the Board; and
- (c) Not carry or possess a firearm in the performance of his or her duties unless the certification card is valid.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 11-13-85; A 9-18-87; 10-25-93; R009-10, 8-13-2010; R067-12, 10-23-2013)

### **NAC 648.355 Duties of certified firearms instructors. ([NRS 648.030](#))**

1. Each certified firearms instructor shall:

- (a) On forms provided by the Board, keep written records of the training and qualifications of every person who takes the firearms instructor's course;
- (b) Make the records available for inspection by the Board or its authorized agent;
- (c) Maintain copies of the records for 7 years after the date of the course;
- (d) Upon request, provide a copy of the records to the Board;
- (e) Upon request, provide information concerning the location of the firearms instructor's classroom and firing range, the dates and times of the instruction and the maximum number of persons enrolled per class;
- (f) Maintain all applicable state, county and local business registrations, licenses and permits as required by any law, regulation or local government ordinance of this State; and
- (g) Maintain a policy of workers' compensation insurance as required by law.

2. To ensure compliance with applicable statutes and regulations, a firearms instructor shall provide to an employee, agent or representative of the Board, upon request, during normal business hours:

- (a) Access to the firearms instructor's classroom and the firing range during his or her instruction;
- (b) Access to the materials he or she uses to teach the course;
- (c) A list of the names of all persons enrolled in the course;
- (d) A list of the names of all instructors, safety officers and support personnel assisting with the course; and
- (e) A copy of each person's written examination, which indicates the results of the examination, and a completed skill sheet for each person enrolled in the class.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 11-18-87; A 10-25-93; R067-12, 10-23-2013)

## STATE PARKS

### NAC 407.105 Use of weapons. ([NRS 407.0475](#), [407.065](#))

1. Except as otherwise provided in this section or as otherwise authorized by the Administrator, in any park, a person shall not:

- (a) Use a bow and arrow, slingshot or paint ball launcher;
- (b) **Discharge a firearm;**
- (c) **Discharge an air rifle, spring gun or air pistol;** or
- (d) Throw a knife, hatchet, spear, stone or projectile.

2. The Administrator may designate zones in which a person may, for the purposes of hunting a species that is designated by the Board of Wildlife Commissioners as a game mammal or game bird pursuant to [chapter 503](#) of NAC, **discharge a firearm** or bow in accordance with the regulations of the Department of Wildlife. At each park in which a zone is designated pursuant to this subsection, the ranger in charge of the region or the supervisor of the park shall post at the headquarters of the park, and at each area within the park which is designated as a zone in which a person may **discharge a firearm** or bow for the purposes of hunting, maps of the designated zones within that park.

3. **Target shooting is prohibited in all areas of a park, except in an area designated as a firing range.**

4. Use of a bow to kill, capture or injure a fish is prohibited within 100 feet of a swimmer.

5. Nothing in this section is intended to abrogate any right guaranteed by [Section 11 of Article 1](#) of the Nevada Constitution.

(Added to NAC by Div. of St. Parks, 12-31-85, eff. 1-1-86; A 3-9-88; 7-25-90; 11-12-93; 3-20-96, eff. 4-1-96; R164-97, 3-1-98; R145-99, 1-18-2000; R118-01, 12-17-2001; R149-05, 5-4-2006; R013-11, 10-26-2011)

## TAXES

**NAC 372.250 Gun clubs. ([NRS 360.090](#), [372.725](#))** Gun clubs are the consumers of the clay pigeons and blue rocks furnished to members and patrons in connection with trapshooting and similar sports, even if the charge for the service is measured by the number of clay pigeons or blue rocks used.

[Tax Comm'n, Combined Sales and Use Tax Ruling No. 6, eff. 3-1-68]