

SENATE BILL NO. 411—SENATORS SETTELMAYER, HAMMOND,
GOICOECHEA; HARDY, KIECKHEFER AND PICKARD

MARCH 21, 2019

JOINT SPONSORS: ASSEMBLYMEN WHEELER AND TITUS

Referred to Committee on Judiciary

SUMMARY—Authorizes the possession of a firearm in a motor vehicle that is on certain governmental property under certain circumstances. (BDR 15-643)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to firearms; authorizing the possession of a firearm in a motor vehicle that is on certain governmental property under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law: (1) prohibits, with certain exceptions, a person from carrying or
2 possessing certain weapons, including, without limitation, pistols, revolvers or
3 other firearms, while on the property of the Nevada System of Higher Education
4 or a public school or while in a school bus of a public school; and (2) provides that
5 any person who violates such a provision is guilty of a gross misdemeanor. (NRS
6 202.265) Existing law also prohibits a person who holds a permit to carry a
7 concealed firearm from carrying a concealed firearm while on the premises of a
8 public building that is located on the property of the Nevada System of Higher
9 Education or a public school without written permission from the president of a
10 branch or facility of the Nevada System of Higher Education or the principal of the
11 school. Any person who violates such a provision is guilty of a misdemeanor.
12 (NRS 202.3673)

13 **Section 1** of this bill authorizes a person to possess a firearm in a motor vehicle
14 which is on the property of the Nevada System of Higher Education or a public
15 school and which is located on property upon which the motor vehicle is legally
16 authorized to be if the firearm is: (1) inside the motor vehicle and safely secured; or
17 (2) stored in a locked container that is affixed securely to the motor vehicle.

18 **Section 2** of this bill makes a conforming change.



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

1 **Section 1.** NRS 202.265 is hereby amended to read as follows:

2 202.265 1. Except as otherwise provided in this section, a
3 person shall not carry or possess while on the property of the
4 Nevada System of Higher Education ~~[(1)]~~ or a private or public school
5 or child care facility, or while in a ~~[vehicle]~~ *school bus* of a private
6 or public school or child care facility:

- 7 (a) An explosive or incendiary device;
8 (b) A dirk, dagger or switchblade knife;
9 (c) A nunchaku or trefoil;
10 (d) A blackjack or billy club or metal knuckles;
11 (e) A pneumatic gun;
12 (f) A pistol, revolver or other firearm; or
13 (g) Any device used to mark any part of a person with paint or
14 any other substance.

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

17 3. This section does not prohibit the possession of ~~[(a)]~~ :

18 ~~(a)~~ *A* weapon listed in subsection 1 on the property of:

19 ~~[(a)-A]~~

20 ~~(1)~~ *The Nevada System of Higher Education or a* private or
21 public school or child care facility by a:

22 ~~[(1)]~~ *(I)* Peace officer;

23 ~~[(2)]~~ *(II)* School security guard; or

24 ~~[(3)]~~ *(III)* Person having written permission from the
25 president of a branch or facility of the Nevada System of Higher
26 Education, ~~[(or)]~~ the principal of the school or the person designated
27 by a child care facility to give permission to carry or possess the
28 weapon.

29 ~~[(b)]~~ *(2)* A child care facility which is located at or in the home
30 of a natural person by the person who owns or operates the facility
31 so long as the person resides in the home and the person complies
32 with any laws governing the possession of such a weapon.

33 ~~(b)~~ *A firearm on the property of the Nevada System of Higher*
34 *Education or a public school if the firearm is:*

35 ~~(1)~~ *Inside a motor vehicle, other than a school bus, and is*
36 *safely secured in that motor vehicle; or*

37 ~~(2)~~ *Stored in a locked container that is affixed securely to a*
38 *motor vehicle, other than a school bus,*

39 ↪ *and the motor vehicle is located on property upon which the*
40 *motor vehicle is legally authorized to be located.*



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

4 5. For the purposes of this section:

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

8 (b) "Nunchaku" has the meaning ascribed to it in NRS 202.350.

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

14 (d) *"School bus" has the meaning ascribed to it in NRS*
15 *484A.230 and includes any motor vehicle owned by or under the*
16 *control of a child care facility and regularly operated for the*
17 *transportation of children to or from the child care facility or an*
18 *activity in which the child care facility is participating.*

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

26 ~~[(e)]~~ (f) "Trefoil" has the meaning ascribed to it in
27 NRS 202.350.

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

30 **Sec. 2.** NRS 202.3673 is hereby amended to read as follows:

31 202.3673 1. Except as otherwise provided in subsections 2
32 and 3, a permittee may carry a concealed firearm while the
33 permittee is on the premises of any public building.

34 2. A permittee shall not carry a concealed firearm while the
35 permittee is on the premises of a public building that is located on
36 the property of a public airport.

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

39 (a) A public building that is located on the property of a public
40 school or a child care facility or the property of the Nevada System
41 of Higher Education, unless the permittee ~~has~~ :

42 (1) *Has* obtained written permission to carry a concealed
43 firearm while he or she is on the premises of the public building
44 pursuant to *sub-subparagraph (III) of* subparagraph ~~[(3)]~~ (1) of
45 paragraph (a) of subsection 3 of NRS 202.265 ~~[(1)]~~ ; or



1 (2) *Possesses a firearm in accordance with the provisions of*
2 *paragraph (b) of subsection 3 of NRS 202.265.*

3 (b) A public building that has a metal detector at each public
4 entrance or a sign posted at each public entrance indicating that no
5 firearms are allowed in the building, unless the permittee is not
6 prohibited from carrying a concealed firearm while he or she is on
7 the premises of the public building pursuant to subsection 4.

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

10 (a) A permittee who is a judge from carrying a concealed
11 firearm in the courthouse or courtroom in which the judge presides
12 or from authorizing a permittee to carry a concealed firearm while in
13 the courtroom of the judge and while traveling to and from the
14 courtroom of the judge.

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

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

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

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

29 6. As used in this section:

30 (a) "Child care facility" has the meaning ascribed to it in
31 paragraph (a) of subsection 5 of NRS 202.265.

32 (b) "Public building" means any building or office space
33 occupied by:

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

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

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

42 **Sec. 3.** This act becomes effective on July 1, 2019.

