

ASSEMBLY BILL NO. 105—ASSEMBLYMEMBER JAUREGUI

PREFILED JANUARY 21, 2025

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing firearms.
(BDR 15-64)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
Effect on the State: Yes.

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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; prohibiting, under certain circumstances, the possession of a firearm in or within a certain distance of an election site; requiring the county clerk, registrar of voters or city clerk, as applicable, to post a sign at each election site notifying persons that possession of a firearm is prohibited within a certain distance of the site; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prohibits a person from carrying or possessing certain weapons on the property of the Nevada System of Higher Education, a private or public school or a child care facility, or while in a vehicle of a private or public school or child care facility. (NRS 202.265) **Section 1** of this bill additionally prohibits a person from possessing or causing a firearm to be present in, or within 100 feet of an entrance to, a place the person knows or reasonably should know is an election site, unless the person: (1) is a law enforcement officer engaged in the performance of his or her official duties; (2) is an off-duty law enforcement officer who is lawfully carrying a concealed firearm; (3) is a private security guard or other security personnel hired by the owner of the facility or property in which the election site is located; (4) possesses the firearm while in a vehicle, so long as the person does not brandish the firearm or remove the firearm from the vehicle; or (5) lawfully possesses a firearm in a place of residence, in a business or on private property that is located within 100 feet of an entrance to an election site. Under **section 1**, a person who violates this prohibition is guilty of a gross misdemeanor, except if the person knowingly possesses a firearm or causes a firearm to be present with the specific intent to disrupt, interfere with or monitor the administration of the election, the counting of votes or any person who is voting or attempting to vote,



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the person is guilty of a category D felony. **Section 1** also establishes an affirmative defense for a person who was lawfully in possession of a firearm and was traveling within 100 feet of an election site solely for the purpose of accessing private property located within that area or departing from such property. **Section 1** further: (1) requires the county clerk, registrar of voters or city clerk, as applicable, to post a sign at each election site notifying persons that the possession of a firearm is prohibited; and (2) specifies certain requirements relating to the sign.

Section 2 of this bill makes a conforming change to make the existing definitions that apply to certain crimes involving the ownership or possession of a firearm by certain persons applicable to **section 1**.

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

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

1. Except as otherwise provided in subsection 2, a person shall not possess or cause a firearm to be present in, or within 100 feet of an entrance to, a place the person knows or reasonably should know is an election site.

2. The provisions of subsection 1 do not apply to:

(a) A law enforcement officer who is employed by a federal, state or local law enforcement agency and carrying out official duties or who is off duty and lawfully carrying a concealed firearm.

(b) A private security guard or other security personnel hired or arranged for by the owner or manager of the facility or property in which the election site is located.

(c) The possession of a firearm in a vehicle that is located within 100 feet of an entrance to an election site, so long as the person does not brandish the firearm or remove the firearm from the vehicle.

(d) The otherwise lawful possession of a firearm in a residence, in a business or on private property that is located within 100 feet of an entrance to an election site.

3. A person shall not knowingly possess a firearm or cause a firearm to be present at an election site with the specific intent to disrupt, interfere with or monitor the administration of the election, the counting of votes or any person who is voting or attempting to vote.

4. A person who violates subsection 1 is guilty of a gross misdemeanor.

5. A person who violates subsection 3 is guilty of a category D felony and shall be punished as provided in NRS 193.130.

6. It is an affirmative defense to a charge made pursuant to subsection 1 that, at the time of the alleged offense, the person was



1 *lawfully in possession of the firearm and was traveling within 100*
2 *feet of an election site for the limited purpose of accessing private*
3 *property located within that area or departing from such private*
4 *property to reach a location beyond 100 feet of the election site.*
5 *This affirmative defense does not apply if the person:*

- 6 (a) *Intimidated or attempted to intimidate a voter;*
7 (b) *Interfered or attempted to interfere with the administration*
8 *of the election; or*
9 (c) *Entered or passed through an election site with the firearm*
10 *for any purpose other than to access or depart from private*
11 *property as described in this subsection.*

12 7. *During the period in which voting is conducted at an*
13 *election site, the county clerk, registrar of voters or city clerk, as*
14 *applicable, shall keep continuously posted at the outer limits of the*
15 *area where possession of a firearm is prohibited at least one sign*
16 *on which is printed in large letters "Distance Marker: The*
17 *carrying of firearms between this point and the election site is*
18 *prohibited." The county clerk, registrar of voters or city clerk, as*
19 *applicable, shall ensure that any sign posted pursuant to this*
20 *subsection is:*

- 21 (a) *At least 17 inches by 11 inches in size;*
22 (b) *Affixed to a window or door of the election site or placed*
23 *on a freestanding sign; and*
24 (c) *Clearly visible to a person approaching the outer limits of*
25 *the area within which the possession of a firearm is prohibited.*

26 8. *A sign posted pursuant to subsection 7 may be produced in*
27 *conjunction with a sign posted pursuant to NRS 293.361, 293.740*
28 *or 293C.361, as applicable.*

- 29 9. *As used in this section, "election site" means any:*
30 (a) *Location being used as a polling place;*
31 (b) *Central counting place, as defined in NRS 293.0335; or*
32 (c) *Place a ballot box, as defined in NRS 293.026, or ballot*
33 *drop box is present.*

34 **Sec. 2.** NRS 202.253 is hereby amended to read as follows:
35 202.253 As used in NRS 202.253 to 202.369, inclusive **[H]** ,
36 **and section 1 of this act:**

37 1. "Antique firearm" has the meaning ascribed to it in 18
38 U.S.C. § 921(a)(16).

39 2. "Explosive or incendiary device" means any explosive or
40 incendiary material or substance that has been constructed, altered,
41 packaged or arranged in such a manner that its ordinary use would
42 cause destruction or injury to life or property.

43 3. "Firearm" means any device designed to be used as a
44 weapon from which a projectile may be expelled through the barrel
45 by the force of any explosion or other form of combustion.



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

4 5. “Firearms importer or manufacturer” means a person
5 licensed to import or manufacture firearms pursuant to 18 U.S.C.
6 Chapter 44.

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

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

11 8. “Semiautomatic firearm” means any firearm that:

12 (a) Uses a portion of the energy of a firing cartridge to extract
13 the fired cartridge case and chamber the next shell or round;

14 (b) Requires a separate function of the trigger to fire each
15 cartridge; and

16 (c) Is not a machine gun.

17 9. “Unfinished frame or receiver” means a blank, a casting or a
18 machined body that is intended to be turned into the frame or lower
19 receiver of a firearm with additional machining and which has been
20 formed or machined to the point at which most of the major
21 machining operations have been completed to turn the blank, casting
22 or machined body into a frame or lower receiver of a firearm even if
23 the fire-control cavity area of the blank, casting or machined body is
24 still completely solid and unmachined.

25 **Sec. 3.** This act becomes effective on July 1, 2025.

