

ASSEMBLY BILL NO. 118—ASSEMBLYMAN DALY

PREFILED FEBRUARY 9, 2017

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing the issuance of permits to carry concealed firearms. (BDR 15-572)

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

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

AN ACT relating to concealed firearms; authorizing certain persons who are at least 18 years of age but less than 21 years of age to be eligible for a permit to carry a concealed firearm; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Existing law requires that a person who is a resident of this State must be at  
2 least 21 years of age to be eligible for a permit to carry a concealed firearm. (NRS  
3 202.3657) This bill authorizes a person who is at least 18 years of age but less than  
4 21 years of age to be eligible for a permit to carry a concealed firearm if the person  
5 provides certain proof that he or she: (1) is a member of the Armed Forces of the  
6 United States, a reserve component thereof or the National Guard; or (2) was  
7 discharged or released from service therein under honorable conditions. This bill  
8 also requires a sheriff to deny an application for a permit or revoke an existing  
9 permit if the sheriff determines that the applicant or permittee has been discharged  
10 or released from service in the Armed Forces of the United States, a reserve  
11 component thereof or the National Guard under conditions other than honorable  
12 conditions and is less than 21 years of age.

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

1 **Section 1.** NRS 202.3657 is hereby amended to read as  
2 follows:

3 202.3657 1. Any person who is a resident of this State may  
4 apply to the sheriff of the county in which he or she resides for a  
5 permit on a form prescribed by regulation of the Department. Any



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

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

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

15 (a) Is ~~18~~ :

16 (1) *Twenty-one* years of age or older; *or*

17 (2) *At least 18 years of age but less than 21 years of age if*  
18 *the person:*

19 (I) *Is a member of the Armed Forces of the United*  
20 *States, a reserve component thereof or the National Guard; or*

21 (II) *Was discharged or released from service in the*  
22 *Armed Forces of the United States, a reserve component thereof*  
23 *or the National Guard under honorable conditions;*

24 (b) Is not prohibited from possessing a firearm pursuant to NRS  
25 202.360; and

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

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

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

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

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

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

45 (b) Has been judicially declared incompetent or insane.



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

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

8 (1) Convicted of violating the provisions of NRS 484C.110;  
9 or

10 (2) Committed for treatment pursuant to NRS 458.290 to  
11 458.350, inclusive.

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

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

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

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

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

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

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

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

34 *(k) Has been discharged or released from service in the Armed*  
35 *Forces of the United States, a reserve component thereof or the*  
36 *National Guard under conditions other than honorable conditions*  
37 *and is less than 21 years of age.*

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



1 6. If the sheriff receives notification submitted by a court or  
2 law enforcement agency of this or any other state, the United States  
3 or a territory or possession of the United States that a permittee or  
4 an applicant for a permit has been charged with a crime involving  
5 the use or threatened use of force or violence, the conviction for  
6 which would require the revocation of a permit or preclude the  
7 issuance of a permit to the applicant pursuant to this section,  
8 the sheriff shall suspend the person's permit or the processing of the  
9 person's application until the final disposition of the charges against  
10 the person. If a permittee is acquitted of the charges, or if the  
11 charges are dropped, the sheriff shall restore his or her permit  
12 without imposing a fee.

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

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

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

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

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

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

30 (f) *If the applicant is a person described in subparagraph (2)*  
31 *of paragraph (a) of subsection 3, proof that the applicant:*

32 (1) *Is a member of the Armed Forces of the United States, a*  
33 *reserve component thereof or the National Guard, as evidenced by*  
34 *his or her current military identification card; or*

35 (2) *Was discharged or released from service in the Armed*  
36 *Forces of the United States, a reserve component thereof or the*  
37 *National Guard under honorable conditions, as evidenced by his*  
38 *or her DD Form 214, "Certificate of Release or Discharge from*  
39 *Active Duty," or other document of honorable separation issued*  
40 *by the United States Department of Defense;*

41 (g) A nonrefundable fee equal to the nonvolunteer rate charged  
42 by the Central Repository for Nevada Records of Criminal History  
43 and the Federal Bureau of Investigation to obtain the reports  
44 required pursuant to subsection 1 of NRS 202.366; and



- 1 ~~(e)~~ (h) A nonrefundable fee set by the sheriff not to
- 2 exceed \$60.
- 3 **Sec. 2.** This act becomes effective upon passage and approval.

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