
ASSEMBLY BILL NO. 202—ASSEMBLYMAN ELLISON

FEBRUARY 18, 2019

Referred to Committee on Judiciary

SUMMARY—Authorizes the possession of a handgun in a motor vehicle that is on the property of a community college under certain circumstances. (BDR 15-652)

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 a person to possess a handgun in a motor vehicle that is on the property of a community college 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 private or public school or child care facility or while in a school bus of a
5 private or public school or child care facility; and (2) provides that any person who
6 violates such a provision is guilty of a gross misdemeanor. (NRS 202.265) Existing
7 law also prohibits a person who holds a permit to carry a concealed firearm from
8 carrying a concealed firearm while on the premises of a public building that is
9 located on the property of the Nevada System of Higher Education or a public
10 school or child care facility without written permission from the president of a
11 branch or facility of the Nevada System of Higher Education, the principal of the
12 school or the person designated by the child care facility to give permission to carry
13 or possess the weapon. Any person who violates such a provision is guilty of a
14 misdemeanor. (NRS 202.3673)

15 **Section 1** of this bill authorizes a person to possess a handgun on the property
16 of a community college within the Nevada System of Higher Education if the
17 handgun remains out of common observation and is stored in a locked container
18 that is affixed securely to the frame of the motor vehicle. **Section 2** of this bill
19 makes conforming changes.



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 ~~{ }~~ 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 handgun on the property of a community college within*
34 *the Nevada System of Higher Education by a person, if the*
35 *handgun remains out of common observation and is stored in a*
36 *locked container which is affixed securely to the frame of a motor*
37 *vehicle, other than a school bus.*

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

41 5. For the purposes of this section:



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

4 (b) *"Handgun" has the meaning ascribed to it in*
5 *NRS 202.3653.*

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

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

12 ~~[(d)]~~ (e) *"School bus" has the meaning ascribed to it in NRS*
13 *484A.230 and includes any motor vehicle owned by or under the*
14 *control of a child care facility and regularly operated for the*
15 *transportation of children to or from the child care facility or an*
16 *activity in which the child care facility is participating.*

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

24 ~~[(e)]~~ (g) "Trefoil" has the meaning ascribed to it in
25 NRS 202.350.

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

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

29 202.3673 1. Except as otherwise provided in subsections 2
30 and 3, a permittee may carry a concealed firearm while the
31 permittee is on the premises of any public building.

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

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

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

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

44 (2) *Possesses a handgun in accordance with the provisions*
45 *of paragraph (b) of subsection 3 of NRS 202.265.*



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

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

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

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

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

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

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

27 6. As used in this section:

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

30 (b) "Public building" means any building or office space
31 occupied by:

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

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

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

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

