

ASSEMBLY BILL NO. 340—ASSEMBLYMAN HAMBRICK

MARCH 18, 2013

Referred to Committee on Government Affairs

SUMMARY—Provides for the uniform regulation of firearms in Nevada. (BDR 20-643)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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; expanding the rights and powers reserved for the Legislature relating to the regulation of firearms and ammunition; requiring the governing bodies of certain political subdivisions of this State to repeal certain ordinances and regulations; authorizing a person adversely affected by the enforcement of such an ordinance or regulation to seek declarative and injunctive relief and damages; providing that such a person is entitled to certain damages; deleting certain provisions relating to the registration of firearms capable of being concealed; revising the applicability of certain provisions pertaining to the regulation of firearms by certain political subdivisions; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides that, except as otherwise provided by specific statute, the
2 Legislature reserves for itself such rights and powers as are necessary to regulate
3 the transfer, sale, purchase, possession, ownership, transportation, registration and
4 licensing of firearms and ammunition in this State, and further provides that no
5 county, city or town may infringe upon those rights and powers. (NRS 244.364,
6 268.418, 269.222) **Sections 1-3** of this bill expand such rights and powers of the
7 Legislature to include those necessary to: (1) regulate the carrying and storage of
8 firearms, firearm accessories and ammunition; and (2) define all such terms.
9 **Sections 1-3** provide that certain ordinances or regulations which are inconsistent
10 with these rights and powers of the Legislature are null and void and require the
11 governing bodies of certain political subdivisions of this State to repeal any
12 such ordinance or regulation. **Sections 1-3** also authorize any person who is
13 adversely affected by the enforcement of any such ordinance or regulation on or



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14 after October 1, 2013, to file suit in the appropriate court for declarative and
15 injunctive relief and damages. Such a person is entitled to certain damages
16 depending on whether and when the relevant governing body of a political
17 subdivision repeals such an ordinance or a regulation.

18 Existing law also requires certain political subdivisions of this State in a county
19 whose population is 700,000 or more (currently Clark County), which adopted
20 ordinances or regulations before June 13, 1989, that require the registration of
21 firearms capable of being concealed, to make certain amendments to such
22 registration provisions. (NRS 244.364, 268.418, 269.222) **Sections 1-3** additionally
23 delete the provisions requiring certain political subdivisions of this State to make
24 such amendments.

25 Assembly Bill No. 147 of the 1989 Legislative Session (A.B. 147) reserved for
26 the Legislature the rights and powers necessary to regulate the transfer, sale,
27 purchase, possession, ownership, transportation, registration and licensing of
28 firearms and ammunition in this State. (Chapter 308, Statutes of Nevada 1989, pp.
29 652-53) However, section 5 of A.B. 147 provided that the preemptive effect of the
30 bill applied only to ordinances or regulations adopted by certain political
31 subdivisions on or after June 13, 1989. **Section 4** of this bill amends section 5 of
32 A.B. 147 to include and preempt ordinances or regulations adopted by certain
33 political subdivisions before June 13, 1989.

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

1 **Section 1.** NRS 244.364 is hereby amended to read as follows:

2 244.364 1. *The Legislature hereby declares that:*

3 (a) *The purpose of this section is to establish state control over*
4 *the regulation of and policies concerning firearms, firearm*
5 *accessories and ammunition to ensure that such regulation and*
6 *policies are uniform throughout this State and to ensure the*
7 *protection of the right to keep and bear arms, which is recognized*
8 *by the Constitution of the United States and the Constitution of the*
9 *State of Nevada.*

10 (b) *The regulation of the transfer, sale, purchase, possession,*
11 *carrying, ownership, transportation, storage, registration and*
12 *licensing of firearms, firearm accessories and ammunition in this*
13 *State and the ability to define such terms is within the exclusive*
14 *domain of the Legislature, and any other law, regulation, rule or*
15 *ordinance to the contrary is null and void.*

16 (c) *This section shall be liberally construed to effectuate its*
17 *purpose.*

18 2. Except as otherwise provided by specific statute, the
19 Legislature reserves for itself such rights and powers as are
20 necessary to regulate the transfer, sale, purchase, possession,
21 *carrying*, ownership, transportation, *storage*, registration and
22 licensing of firearms , *firearm accessories* and ammunition in
23 Nevada ~~to~~ and ~~to~~ *to define such terms. No* county may infringe
24 upon those rights and powers. ~~As used in this subsection, "firearm"~~



1 ~~means any weapon from which a projectile is discharged by means~~
2 ~~of an explosive, spring, gas, air or other force.~~

3 ~~—2.1~~ 3. A board of county commissioners may proscribe by
4 ordinance or regulation the unsafe discharge of firearms.

5 ~~3. If a board of county commissioners in a county whose~~
6 ~~population is 700,000 or more has required by ordinance or~~
7 ~~regulation adopted before June 13, 1989, the registration of a~~
8 ~~firearm capable of being concealed, the board of county~~
9 ~~commissioners shall amend such an ordinance or regulation to~~
10 ~~require:~~

11 ~~—(a) A period of at least 60 days of residency in the county before~~
12 ~~registration of such a firearm is required.~~

13 ~~—(b) A period of at least 72 hours for the registration of a pistol~~
14 ~~by a resident of the county upon transfer of title to the pistol to the~~
15 ~~resident by purchase, gift or any other transfer.~~

16 ~~—4. Except as otherwise provided in subsection 1, as}~~

17 4. *Any ordinance or regulation which is inconsistent with this*
18 *section or which is designed to restrict or prohibit the sale,*
19 *purchase, transfer, manufacture or display of firearms, firearm*
20 *accessories or ammunition that is otherwise lawful under the laws*
21 *of this State is null and void, and any official action taken by an*
22 *employee or agent of a county in violation of this section is void.*

23 5. *A board of county commissioners shall repeal any*
24 *ordinance or regulation described in subsection 4, and any such*
25 *ordinance or regulation that is posted within the county must be*
26 *removed.*

27 6. *A board of county commissioners shall cause to be*
28 *destroyed any ownership records of firearms owned by private*
29 *persons which are kept or maintained by the county or any county*
30 *agency, board or commission, including, without limitation, any*
31 *law enforcement agency, for the purposes of compliance with any*
32 *ordinance or regulation that is inconsistent with this section. The*
33 *provisions of this subsection do not apply to the ownership records*
34 *of firearms purchased and owned by any political subdivision of*
35 *this State.*

36 7. *Any person who is adversely affected by the enforcement of*
37 *an ordinance or regulation that violates this section on or after*
38 *October 1, 2013, may file suit in the appropriate court for*
39 *declarative and injunctive relief and damages attributable to the*
40 *violation. Notwithstanding any other provision of law, such a*
41 *person is entitled to:*

42 (a) *Reimbursement of actual damages, reasonable attorney's*
43 *fees and costs which the person has incurred if, within 30 days*
44 *after the person commenced the action but before a final*
45 *determination has been issued by the court, the board of county*



1 *commissioners repeals the ordinance or regulation that violates*
2 *this section.*

3 *(b) Liquidated damages in an amount equal to two times the*
4 *actual damages, reasonable attorney's fees and costs incurred by*
5 *the person if, more than 30 days after the person commenced the*
6 *action but before a final determination has been issued by the*
7 *court, the board of county commissioners repeals the ordinance or*
8 *regulation that violates this section.*

9 *(c) Liquidated damages in an amount equal to three times the*
10 *actual damages, reasonable attorney's fees and costs incurred by*
11 *the person if the court makes a final determination in favor of the*
12 *person.*

13 *8. This section must not be construed to prevent:*

14 *(a) A law enforcement agency or correctional institution from*
15 *promulgating and enforcing its own rules pertaining to firearms,*
16 *firearm accessories or ammunition that are issued to or used by*
17 *peace officers in the course of their official duties.*

18 *(b) A court or administrative law judge from hearing and*
19 *resolving a case or controversy or issuing an opinion or order on a*
20 *matter within its jurisdiction.*

21 *(c) A public employer from regulating or prohibiting the*
22 *carrying or possession of firearms, firearm accessories or*
23 *ammunition during or in the course of an employee's official*
24 *duties.*

25 *(d) The enactment or enforcement of a county zoning or*
26 *business ordinance which is generally applicable to businesses*
27 *within the county and thereby affects a firearms business within*
28 *the county, including, without limitation, an indoor or outdoor*
29 *shooting range.*

30 *(e) A county from enacting and enforcing rules for the*
31 *operation and use of any firearm range owned and operated by the*
32 *county.*

33 *(f) A political subdivision from sponsoring or conducting a*
34 *firearm-related competition or educational or cultural program*
35 *and enacting and enforcing rules for participation in or*
36 *attendance at any such competition or program.*

37 *(g) A political subdivision or any official thereof with*
38 *appropriate authority from enforcing any statute of this State.*

39 *9. As used in this section:*

40 *(a) "Ammunition" includes, without limitation, fixed cartridge*
41 *ammunition and the individual components thereof, shotgun*
42 *shells and the individual components thereof, projectiles for*
43 *muzzle-loading firearms and any propellant used in firearms or*
44 *ammunition.*



1 (b) "Firearm" ~~{means}~~ *includes, without limitation, a pistol,*
2 *revolver, rifle, shotgun, machine gun, submachine gun, black*
3 *powder weapon, muzzle-loading firearm or any device which is*
4 *designed to ~~{be used as a weapon from which}~~, able to or able to be*
5 *readily converted to expel a projectile ~~{may be expelled}~~ through*
6 *the barrel by the ~~{force}~~ action of ~~{any explosion or}~~ an explosive,*
7 *other form of combustion ~~†~~*

8 ~~—(b) "Firearm capable of being concealed" includes all firearms~~
9 ~~having a barrel less than 12 inches in length.~~

10 ~~—(c) "Pistol" means a firearm capable of being concealed that is~~
11 ~~intended to be aimed and fired with one hand.† or expanding gases.~~

12 (c) "Firearm accessories" means:

13 (1) *Devices specifically designed or adapted to enable the*
14 *wearing or carrying of a firearm or the storing in or mounting on*
15 *a conveyance of a firearm; or*

16 (2) *Attachments or devices specifically designed or adapted*
17 *to be inserted into or affixed on a firearm to enable, alter or*
18 *improve the functioning or capability of the firearm.*

19 (d) "Person" includes, without limitation:

20 (1) *Any person who has standing to bring or maintain an*
21 *action concerning this section pursuant to the laws of this State.*

22 (2) *Any person who:*

23 (I) *Can legally possess a firearm under state and federal*
24 *law;*

25 (II) *Owens, possesses, stores, transports, carries or*
26 *transfers firearms, ammunition or ammunition components within*
27 *a county; and*

28 (III) *Is subject to the county ordinance or regulation at*
29 *issue.*

30 (3) *A membership organization whose members include a*
31 *person described in subparagraphs (1) and (2) and which is*
32 *dedicated in whole or in part to protecting the legal, civil or*
33 *constitutional rights of its members.*

34 (e) "Political subdivision" includes, without limitation, a state
35 agency, county, city, town or school district.

36 (f) "Public employer" has the meaning ascribed to it in
37 NRS 286.070.

38 **Sec. 2.** NRS 268.418 is hereby amended to read as follows:

39 268.418 1. *The Legislature hereby declares that:*

40 (a) *The purpose of this section is to establish state control over*
41 *the regulation of and policies concerning firearms, firearm*
42 *accessories and ammunition to ensure that such regulation and*
43 *policies are uniform throughout this State and to ensure the*
44 *protection of the right to keep and bear arms, which is recognized*



1 *by the Constitution of the United States and the Constitution of the*
2 *State of Nevada.*

3 *(b) The regulation of the transfer, sale, purchase, possession,*
4 *carrying, ownership, transportation, storage, registration and*
5 *licensing of firearms, firearm accessories and ammunition in this*
6 *State and the ability to define such terms is within the exclusive*
7 *domain of the Legislature, and any other law, regulation, rule or*
8 *ordinance to the contrary is null and void.*

9 *(c) This section shall be liberally construed to effectuate its*
10 *purpose.*

11 2. Except as otherwise provided by specific statute, the
12 Legislature reserves for itself such rights and powers as are
13 necessary to regulate the transfer, sale, purchase, possession,
14 *carrying* ownership, transportation, *storage*, registration and
15 licensing of firearms , *firearm accessories* and ammunition in
16 Nevada ~~†~~ and ~~†no† to define such terms.~~ No city may infringe upon
17 those rights and powers. ~~†As used in this subsection, “firearm”~~
18 ~~means any weapon from which a projectile is discharged by means~~
19 ~~of an explosive, spring, gas, air or other force.~~

20 ~~—2.†~~ 3. The governing body of a city may proscribe by
21 ordinance or regulation the unsafe discharge of firearms.

22 ~~†3. If the governing body of a city in a county whose~~
23 ~~population is 700,000 or more has required by ordinance or~~
24 ~~regulation adopted before June 13, 1989, the registration of a~~
25 ~~firearm capable of being concealed, the governing body shall amend~~
26 ~~such an ordinance or regulation to require:~~

27 ~~—(a) A period of at least 60 days of residency in the city before~~
28 ~~registration of such a firearm is required.~~

29 ~~—(b) A period of at least 72 hours for the registration of a pistol~~
30 ~~by a resident of the city upon transfer of title to the pistol to the~~
31 ~~resident by purchase, gift or any other transfer.~~

32 ~~—4.— Except as otherwise provided in subsection 1, as†~~

33 4. *Any ordinance or regulation which is inconsistent with this*
34 *section or which is designed to restrict or prohibit the sale,*
35 *purchase, transfer, manufacture or display of firearms, firearm*
36 *accessories or ammunition that is otherwise lawful under the laws*
37 *of this State is null and void, and any official action taken by an*
38 *employee or agent of a city in violation of this section is void.*

39 5. *The governing body of a city shall repeal any ordinance or*
40 *regulation described in subsection 4, and any such ordinance or*
41 *regulation that is posted within the city must be removed.*

42 6. *The governing body of a city shall cause to be destroyed*
43 *any ownership records of firearms owned by private persons*
44 *which are kept or maintained by the city or any city agency, board*
45 *or commission, including, without limitation, any law enforcement*



1 *agency, for the purposes of compliance with any ordinance or*
2 *regulation that is inconsistent with this section. The provisions of*
3 *this subsection do not apply to the ownership records of firearms*
4 *purchased and owned by any political subdivision of this State.*

5 *7. Any person who is adversely affected by the enforcement of*
6 *an ordinance or regulation that violates this section on or after*
7 *October 1, 2013, may file suit in the appropriate court for*
8 *declarative and injunctive relief and damages attributable to the*
9 *violation. Notwithstanding any other provision of law, such a*
10 *person is entitled to:*

11 *(a) Reimbursement of actual damages, reasonable attorney's*
12 *fees and costs which the person has incurred if, within 30 days*
13 *after the person commenced the action but before a final*
14 *determination has been issued by the court, the governing body of*
15 *the city repeals the ordinance or regulation that violates this*
16 *section.*

17 *(b) Liquidated damages in an amount equal to two times the*
18 *actual damages, reasonable attorney's fees and costs incurred by*
19 *the person if, more than 30 days after the person commenced the*
20 *action but before a final determination has been issued by the*
21 *court, the governing body of the city repeals the ordinance or*
22 *regulation that violates this section.*

23 *(c) Liquidated damages in an amount equal to three times the*
24 *actual damages, reasonable attorney's fees and costs incurred by*
25 *the person if the court makes a final determination in favor of the*
26 *person.*

27 *8. This section must not be construed to prevent:*

28 *(a) A law enforcement agency or correctional institution from*
29 *promulgating and enforcing its own rules pertaining to firearms,*
30 *firearm accessories or ammunition that are issued to or used by*
31 *peace officers in the course of their official duties.*

32 *(b) A court or administrative law judge from hearing and*
33 *resolving a case or controversy or issuing an opinion or order on a*
34 *matter within its jurisdiction.*

35 *(c) A public employer from regulating or prohibiting the*
36 *carrying or possession of firearms, firearm accessories or*
37 *ammunition during or in the course of an employee's official*
38 *duties.*

39 *(d) The enactment or enforcement of a city zoning or business*
40 *ordinance which is generally applicable to businesses within the*
41 *city and thereby affects a firearms business within the city,*
42 *including, without limitation, an indoor or outdoor shooting*
43 *range.*

44 *(e) A city from enacting and enforcing rules for the operation*
45 *and use of any firearm range owned and operated by the city.*



1 (f) A political subdivision from sponsoring or conducting a
2 firearm-related competition or educational or cultural program
3 and enacting and enforcing rules for participation in or
4 attendance at any such competition or program.

5 (g) A political subdivision or any official thereof with
6 appropriate authority from enforcing any statute of this State.

7 9. As used in this section:

8 (a) "Ammunition" includes, without limitation, fixed cartridge
9 ammunition and the individual components thereof, shotgun
10 shells and the individual components thereof, projectiles for
11 muzzle-loading firearms and any propellant used in firearms or
12 ammunition.

13 (b) "Firearm" ~~{means}~~ includes, without limitation, a pistol,
14 revolver, rifle, shotgun, machine gun, submachine gun, black
15 powder weapon, muzzle-loading firearm or any device which is
16 designed to ~~{be used as a weapon from which}~~, able to or able to be
17 readily converted to expel a projectile ~~{may be expelled}~~ through
18 the barrel by the ~~{force}~~ action of ~~{any explosion or}~~ an explosive,
19 other form of combustion ~~†~~

20 ~~—(b) "Firearm capable of being concealed" includes all firearms~~
21 ~~having a barrel less than 12 inches in length.~~

22 ~~—(c) "Pistol" means a firearm capable of being concealed that is~~
23 ~~intended to be aimed and fired with one hand.} or expanding gases.~~

24 (c) "Firearm accessories" means:

25 (1) Devices specifically designed or adapted to enable the
26 wearing or carrying of a firearm or the storing in or mounting on
27 a conveyance of a firearm; or

28 (2) Attachments or devices specifically designed or adapted
29 to be inserted into or affixed on a firearm to enable, alter or
30 improve the functioning or capability of the firearm.

31 (d) "Person" includes, without limitation:

32 (1) Any person who has standing to bring or maintain an
33 action concerning this section pursuant to the laws of this State.

34 (2) Any person who:

35 (I) Can legally possess a firearm under state and federal
36 law;

37 (II) Owns, possesses, stores, transports, carries or
38 transfers firearms, ammunition or ammunition components within
39 a city; and

40 (III) Is subject to the city ordinance or regulation at
41 issue.

42 (3) A membership organization whose members include a
43 person described in subparagraphs (1) and (2) and which is
44 dedicated in whole or in part to protecting the legal, civil or
45 constitutional rights of its members.



1 (e) "Political subdivision" includes, without limitation, a state
2 agency, county, city, town or school district.

3 (f) "Public employer" has the meaning ascribed to it in
4 NRS 286.070.

5 Sec. 3. NRS 269.222 is hereby amended to read as follows:

6 269.222 1. *The Legislature hereby declares that:*

7 (a) *The purpose of this section is to establish state control over*
8 *the regulation of and policies concerning firearms, firearm*
9 *accessories and ammunition to ensure that such regulation and*
10 *policies are uniform throughout this State and to ensure the*
11 *protection of the right to keep and bear arms, which is recognized*
12 *by the Constitution of the United States and the Constitution of the*
13 *State of Nevada.*

14 (b) *The regulation of the transfer, sale, purchase, possession,*
15 *carrying, ownership, transportation, storage, registration and*
16 *licensing of firearms, firearm accessories and ammunition in this*
17 *State and the ability to define such terms is within the exclusive*
18 *domain of the Legislature, and any other law, regulation, rule or*
19 *ordinance to the contrary is null and void.*

20 (c) *This section shall be liberally construed to effectuate its*
21 *purpose.*

22 2. Except as otherwise provided by specific statute, the
23 Legislature reserves for itself such rights and powers as are
24 necessary to regulate the transfer, sale, purchase, possession,
25 *carrying*, ownership, transportation, *storage*, registration and
26 licensing of firearms , *firearm accessories* and ammunition in
27 Nevada ~~and to define such terms. No~~ town may infringe
28 upon those rights and powers. ~~As used in this subsection, "firearm"~~
29 ~~means any weapon from which a projectile is discharged by means~~
30 ~~of an explosive, spring, gas, air or other force.~~

31 ~~2.3. A town board may proscribe by ordinance or regulation~~
32 ~~the unsafe discharge of firearms.~~

33 ~~3. If a town board in a county whose population is 700,000 or~~
34 ~~more has required by ordinance or regulation adopted before~~
35 ~~June 13, 1989, the registration of a firearm capable of being~~
36 ~~concealed, the town board shall amend such an ordinance or~~
37 ~~regulation to require:~~

38 ~~(a) A period of at least 60 days of residency in the town before~~
39 ~~registration of such a firearm is required.~~

40 ~~(b) A period of at least 72 hours for the registration of a pistol~~
41 ~~by a resident of the town upon transfer of title to the pistol to the~~
42 ~~resident by purchase, gift or any other transfer.~~

43 ~~4. Except as otherwise provided in subsection 1, as~~

44 4. *Any ordinance or regulation which is inconsistent with this*
45 *section or which is designed to restrict or prohibit the sale,*



1 *purchase, transfer, manufacture or display of firearms, firearm*
2 *accessories or ammunition that is otherwise lawful under the laws*
3 *of this State is null and void, and any official action taken by an*
4 *employee or agent of a town in violation of this section is void.*

5 *5. A town board shall repeal any ordinance or regulation*
6 *described in subsection 4, and any such ordinance or regulation*
7 *that is posted within the town must be removed.*

8 *6. A town board shall cause to be destroyed any ownership*
9 *records of firearms owned by private persons which are kept or*
10 *maintained by the town or any town agency, board or commission,*
11 *including, without limitation, any law enforcement agency, for the*
12 *purposes of compliance with any ordinance or regulation that is*
13 *inconsistent with this section. The provisions of this subsection do*
14 *not apply to the ownership records of firearms purchased and*
15 *owned by any political subdivision of this State.*

16 *7. Any person who is adversely affected by the enforcement of*
17 *an ordinance or regulation that violates this section on or after*
18 *October 1, 2013, may file suit in the appropriate court for*
19 *declarative and injunctive relief and damages attributable to the*
20 *violation. Notwithstanding any other provision of law, such a*
21 *person is entitled to:*

22 *(a) Reimbursement of actual damages, reasonable attorney's*
23 *fees and costs which the person has incurred if, within 30 days*
24 *after the person commenced the action but before a final*
25 *determination has been issued by the court, the town board repeals*
26 *the ordinance or regulation that violates this section.*

27 *(b) Liquidated damages in an amount equal to two times the*
28 *actual damages, reasonable attorney's fees and costs incurred by*
29 *the person if, more than 30 days after the person commenced the*
30 *action but before a final determination has been issued by the*
31 *court, the town board repeals the ordinance or regulation that*
32 *violates this section.*

33 *(c) Liquidated damages in an amount equal to three times the*
34 *actual damages, reasonable attorney's fees and costs incurred by*
35 *the person if the court makes a final determination in favor of the*
36 *person.*

37 *8. This section must not be construed to prevent:*

38 *(a) A law enforcement agency or correctional institution from*
39 *promulgating and enforcing its own rules pertaining to firearms,*
40 *firearm accessories or ammunition that are issued to or used by*
41 *peace officers in the course of their official duties.*

42 *(b) A court or administrative law judge from hearing and*
43 *resolving a case or controversy or issuing an opinion or order on a*
44 *matter within its jurisdiction.*



1 (c) A public employer from regulating or prohibiting the
2 carrying or possession of firearms, firearm accessories or
3 ammunition during or in the course of an employee's official
4 duties.

5 (d) The enactment or enforcement of a town zoning or
6 business ordinance which is generally applicable to businesses
7 within the town and thereby affects a firearms business within the
8 town, including, without limitation, an indoor or outdoor shooting
9 range.

10 (e) A town from enacting and enforcing rules for the operation
11 and use of any firearm range owned and operated by the town.

12 (f) A political subdivision from sponsoring or conducting a
13 firearm-related competition or educational or cultural program
14 and enacting and enforcing rules for participation in or
15 attendance at any such competition or program.

16 (g) A political subdivision or any official thereof with
17 appropriate authority from enforcing any statute of this State.

18 9. As used in this section:

19 (a) "Ammunition" includes, without limitation, fixed cartridge
20 ammunition and the individual components thereof, shotgun
21 shells and the individual components thereof, projectiles for
22 muzzle-loading firearms and any propellant used in firearms or
23 ammunition.

24 (b) "Firearm" ~~means~~ includes, without limitation, a pistol,
25 revolver, rifle, shotgun, machine gun, submachine gun, black
26 powder weapon, muzzle-loading firearm or any device which is
27 designed to ~~be used as a weapon from which~~, able to or able to be
28 readily converted to expel a projectile ~~may be expelled~~ through
29 the barrel by the ~~force~~ action of ~~any explosion or~~ an explosive,
30 other form of combustion ~~†~~.

31 ~~(b) "Firearm capable of being concealed" includes all firearms~~
32 ~~having a barrel less than 12 inches in length.~~

33 ~~(c) "Pistol" means a firearm capable of being concealed that is~~
34 ~~intended to be aimed and fired with one hand.† or expanding gases.~~

35 (c) "Firearm accessories" means:

36 (1) Devices specifically designed or adapted to enable the
37 wearing or carrying of a firearm or the storing in or mounting on
38 a conveyance of a firearm; or

39 (2) Attachments or devices specifically designed or adapted
40 to be inserted into or affixed on a firearm to enable, alter or
41 improve the functioning or capability of the firearm.

42 (d) "Person" includes, without limitation:

43 (1) Any person who has standing to bring or maintain an
44 action concerning this section pursuant to the laws of this State.

45 (2) Any person who:



1 (I) Can legally possess a firearm under state and federal
2 law;

3 (II) Owns, possesses, stores, transports, carries or
4 transfers firearms, ammunition or ammunition components within
5 a town; and

6 (III) Is subject to the town ordinance or regulation at
7 issue.

8 (3) A membership organization whose members include a
9 person described in subparagraphs (1) and (2) and which is
10 dedicated in whole or in part to protecting the legal, civil or
11 constitutional rights of its members.

12 (e) "Political subdivision" includes, without limitation, a state
13 agency, county, city, town or school district.

14 (f) "Public employer" has the meaning ascribed to it in
15 NRS 286.070.

16 **Sec. 4.** Section 5 of chapter 308, Statutes of Nevada 1989, as
17 amended by chapter 320, Statutes of Nevada 2007, at page 1291, is
18 hereby amended to read as follows:

19 Sec. 4. Section 5 of chapter 308, Statutes of Nevada
20 1989, at page 653, is hereby amended to read as follows:

21 Sec. 5. ~~{1. Except as otherwise provided in subsection~~
22 ~~2, the provisions of this act apply to ordinances or regulations~~
23 ~~adopted on or after June 13, 1989.~~

24 ~~—2.}~~ The provisions of this act ~~{, as amended on~~
25 ~~October 1, 2007,}~~ apply to ordinances or regulations adopted
26 before, on or after June 13, 1989.

27 **Sec. 5.** This act becomes effective upon passage and approval.

