

Bill Draft Request 6

What is current law?

Current law states that for a **parent, legal guardian, or anyone legally responsible** to be held **civilly** liable for their child's willful misconduct or negligence regarding the use of **their** legally owned firearm the following must be met:

1. The parent **provides** the firearm (the child has access to it) and
2. The child uses it in a negligent manner of willful misconduct
3. AND one of these three things **must** occur:
 - a. The parent knows the minor has been **convicted** of a criminal offense or is an adjudicated delinquent; **or**
 - b. The parent knows the minor has a tendency to commit violent acts; **or**
 - c. The parent knows or has reason to believe their child intends to use the firearm for unlawful purposes.

Why is this an issue?

The current NRS does not provide **criminal** liability for parents who are negligent in securing their firearms, which leads to injury, death, or property damage.

And even if a case does fit all the requirements to be held **civilly** liable, it is not automatic under current law. A victim would have to **sue** them.

If a minor with no previous criminal behavior or tendencies, gains access to their parents' **legally owned** firearm without their parents' knowledge and shoots and kills someone, those legally responsible will **NOT** be held liable under current law.

There **absolutely** needs to be liability for a parent or legal guardian who carelessly leaves a firearm out and it is used for willful misconduct by their minor child.

What is the solution?

BDR 6 proposes to **remove** the **three subsections: a, b, c.**

BDR 6 would also make a violation of this law a **Category B felony**, punishable by up to 20 years in prison.

BDR 6 would **keep** civil liability.

***BY HOLDING PARENTS, LEGAL GUARDIANS, AND THOSE
LEGALLY RESPONSIBLE FOR A MINOR ACCOUNTABLE WE ARE
PREVENTING FURTHER VIOLENCE TO NEVADA'S YOUTH.***