
Assembly Committee on Judiciary

This measure may be considered for action during today's work session.

ASSEMBLY BILL 354

Revises provisions relating to firearms. (BDR 15-251)

Sponsored By: Assemblywoman Jauregui
Date Heard: April 6, 2023
Fiscal Notes: 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.

This bill prohibits a person from possessing or causing a firearm to be present in, or within 100 yards of an entrance to, a place the person knows or reasonably should know is an election site under certain circumstances. The bill further revises the definition of a "unfinished frame or receiver" to include a market frame or receiver or ready frame or receiver.

Amendments: There are two proposed amendments.

1. Assemblywoman Jauregui proposed an amendment, which does the following:
 - Changes all references regarding 100 yards to 100 feet to mirror the Nevada election laws.
2. David Pucino, Deputy Chief Counsel with Giffords Law Center to Prevent Gun Violence proposed an amendment, which does the following:
 - Revises in Section 2, subsection 5 the definition of a "firearms importer or manufacturer" by adding "dealer," before "importer" and "deal," before "import";
 - Restores the language in Section 2, subsection 9 regarding the definition of "unfinished frame or receiver";
 - Deletes Section 2, subsection 9(b) and replaces it with a new definition of "ready frame or receiver";
 - Adds a new section to the bill to amend NRS 202.3625; 202.363; 202.3635; 202.364; and 202.3645 to 202.3625; and
 - Provides that nothing in the provisions of NRS 202.3625 to 202.364, inclusive, of this act shall be deemed to prohibit the possession of a ready frame or receiver or market frame or receiver before January 1, 2024, if said ready frame or receiver or market frame or receiver was lawfully possessed on September 30, 2023.

Amendment to AB354 Proposed by Assemblywoman Sandra Jauregui

Change all references to 100 yards to 100 feet to mirror the Nevada Electioneering Laws

Proposed Amendments to AB 354 - David Pucino Giffords

In Section 2 (p. 2 ll. 20-22), amend NRS 202.253(5) to add “dealer,” before “importer” and “deal,” before “import,” so that NRS 202.253(5) reads: “Firearms dealer, importer or manufacturer’ means a person licensed to deal, import, or manufacture firearms pursuant to 18 U.S.C. Chapter 44.”

In Section 2 (page 3 ll. 33-41), restore as-enacted definition of “Unfinished frame or receiver” at NRS 202.253(9) to read: “Unfinished frame or receiver’ means a blank, casting or a machined body that is intended to be turned into the frame or lower receiver of a firearm with additional machining and which has been formed or machined to the point at which most of the major machining operations have been completed to turn the blank, casting or machined body into a frame or lower receiver of a firearm even if the fire control cavity area of the blank, casting or machined body is still completely solid and unmachined.”

In Section 2 (p. 3 ll. 42), replace “~~(a)~~” with “(10)”.

In Section 2 (p. 4 ll. 4), replace “~~(b) “Ready frame or receiver’ means a forged, cast, printed, extruded or machined body or similar article that has an identifiable fire control cavity, even if that cavity has not been indexed or machined in any way.”~~” with “(11) ‘Ready frame or receiver’ means any forging, casting, printing, extrusion, machined body or similar article that has reached a stage in manufacture where it may readily be completed, assembled or converted to be used as the frame or receiver of a functional firearm.”

In a new Section 3, amend Sections 202.3625, 202.363, 202.3635, 202.364, and 202.3645 to read as follows:

202.3625.

1. A person shall not sell, offer to sell or transfer an unfinished frame or receiver, ready frame or receiver, or market frame or receiver unless:

(a) The ~~person is:~~

~~(1) A firearms importer or manufacturer; and~~

~~(2) The]~~ recipient of the unfinished frame or receiver, ready frame or receiver, or market frame or receiver is a firearms dealer, importer or manufacturer; or

(b) The unfinished frame or receiver, ready frame or receiver, or market frame or receiver ~~[is required by federal law to be imprinted with a serial number issued by an importer or manufacturer and the unfinished frame or receiver]~~ has been imprinted with the serial number by a firearms dealer, importer or manufacturer in accordance with federal law and any regulations adopted thereunder.

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202.363.

1. A person shall not possess, purchase, transport or receive an unfinished frame or receiver, ready frame or receiver, or market frame or receiver unless:

- (a) The person is a firearms dealer, importer or manufacturer; or
- (b) The unfinished frame or receiver, ready frame or receiver, or market frame or receiver has been ~~[is required by federal law to be]~~ imprinted with a serial number issued by a firearms dealer in accordance with federal law and any regulations adopted thereunder ~~[importer or manufacturer and the unfinished frame or receiver has been imprinted with the serial number].~~

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202.3635.

1. A person shall not manufacture or cause to be manufactured or assemble or cause to be assembled a firearm that is not imprinted with a serial number issued by a firearms dealer, importer or manufacturer in accordance with federal law and any regulations adopted thereunder unless the firearm:

- (a) Has been rendered permanently inoperable;
- (b) Is an antique firearm; or
- (c) Has been determined to be a collector's item pursuant to 26 U.S.C. Chapter 53 or a curio or relic pursuant to 18 U.S.C. Chapter 44.

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202.364.

1. A person shall not possess, sell, offer to sell, transfer, purchase, transport or receive a firearm that is not imprinted with a serial number issued by a firearms dealer, importer or manufacturer in accordance with federal law and any regulations adopted thereunder unless:

- (a) The person is:
 - (1) A law enforcement agency; or
 - (2) A firearms dealer, importer or manufacturer; or
- (b) The firearm:
 - (1) Has been rendered permanently inoperable;
 - (2) Was manufactured before 1969;
 - (3) Is an antique firearm; or
 - (4) Has been determined to be a collector's item pursuant to 26 U.S.C. Chapter 53 or a curio or relic pursuant to 18 U.S.C. Chapter 44.

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202.3645.

1. Nothing in the provisions of NRS 202.3625 to 202.364, inclusive, of this act shall be deemed to prohibit the sale of an unfinished frame or receiver or firearm that is not imprinted with a serial number to a firearms dealer, importer or manufacturer ~~[or a licensed dealer]~~ before January 1, 2022. ~~[As used in this section, "licensed dealer" has the meaning ascribed to it in NRS 202.2546.]~~

2. Nothing in the provisions of NRS 202.3625 to 202.364, inclusive, of this act shall be deemed to prohibit the possession of a ready frame or receiver or market frame or receiver before January 1, 2024, if said ready frame or receiver or market frame or receiver was lawfully possessed on September 30, 2023.