

**PROPOSED REGULATION OF THE
DIVISION OF CHILD AND FAMILY SERVICES OF
THE DEPARTMENT OF HEALTH AND HUMAN SERVICES**

LCB File No. R092-14

June 19, 2014

(This section was previously located in LCB File No. R110-13; it has been removed for separate consideration)

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

AUTHORITY: §1, NRS 424.020.

A REGULATION relating to foster care; making certain exceptions to certain requirements relating to weapons maintained in foster homes; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Division of Child and Family Services of the Department of Health and Human Services to adopt regulations establishing procedures and requirements for the licensure of family foster homes, specialized foster homes, independent living foster homes and group foster homes. (NRS 424.020) Existing regulations place requirements on the manner in which weapons must be maintained and stored in a foster home and the manner in which they may be transported. (NAC 424.600) This regulation exempts from the requirements a law enforcement officer who has a weapon holstered on his or her person so long as the weapon is maintained in accordance with the requirements at any time that it is not holstered on the person of the law enforcement officer. This regulation further exempts from the requirements any firearm which is wholly inoperable and solely ornamental.

Section 1. NAC 424.600 is hereby amended to read as follows:

424.600 ~~Any~~

1. Except as otherwise provided in subsection 2, any weapons, such as firearms, air rifles, bows, hunting knives or hunting sling shots, ~~shall~~ **must** be unstrung and unloaded at all times when children are in the home. They ~~shall~~ **must** be stored in locked containers or rooms out of

the reach of children or made inoperable. Ammunition and arrows ~~{shall}~~ *must* be stored in separate locked containers. Weapons ~~{shall}~~ *must* not be transported in any vehicle in which children are riding unless the weapons are made inoperable and inaccessible.

2. The provisions of this section do not apply to a law enforcement officer who maintains a holstered weapon on his or her person if the weapon is maintained as required by subsection 1 whenever the person is not carrying the weapon holstered on his or her person.

3. Firearms which are wholly inoperable and solely ornamental are exempt from the requirements of this section relating to the storage of the weapon.