

SENATE BILL NO. 126—SENATORS SETTELMAYER AND LEE

PREFILED FEBRUARY 4, 2011

Referred to Committee on Judiciary

SUMMARY—Revises certain provisions relating to permits to carry concealed firearms. (BDR 15-335)

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 concealed firearms; revising certain provisions relating to permits to carry concealed firearms; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, a person applying for a permit to carry a firearm in a
2 concealed manner is required to list on an application each specific semiautomatic
3 firearm to which the permit will pertain but may receive a permit for all revolvers
4 owned by the person without listing each revolver specifically. (NRS 202.3657)
5 This bill revises this provision to allow a person to complete one application and
6 obtain one permit to carry in concealment all firearms owned by the person. The
7 application must specify whether it pertains to revolvers, semiautomatic firearms or
8 both, and the applicant must demonstrate competence with each category of
9 firearm, as applicable. The permit is then valid for any firearm within each category
10 of firearm listed on the permit which is owned or obtained by the person.

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

1 **Section 1.** NRS 202.3657 is hereby amended to read as
2 follows:

3 202.3657 1. Any person who is a resident of this State may
4 apply to the sheriff of the county in which he or she resides for a
5 permit on a form prescribed by regulation of the Department. Any
6 person who is not a resident of this State may apply to the sheriff of
7 any county in this State for a permit on a form prescribed by
8 regulation of the Department. Application forms for permits must be
9 furnished by the sheriff of each county upon request.



1 2. *A person applying for a permit may submit one application*
2 *and obtain one permit to carry all revolvers and semiautomatic*
3 *firearms owned by the person. The person must not be required to*
4 *list and identify on the application each revolver or semiautomatic*
5 *firearm owned by the person. A permit must list each category of*
6 *firearm to which the permit pertains and is valid for any revolver*
7 *or semiautomatic firearm which is owned or thereafter obtained*
8 *by the person to whom the permit is issued.*

9 3. Except as otherwise provided in this section, the sheriff shall
10 issue a permit for revolvers, ~~one or more specific~~ semiautomatic
11 firearms ~~[.]~~ or ~~for revolvers and one or more specific semiautomatic~~
12 ~~firearms.] both~~, as applicable, to any person who is qualified to
13 possess the ~~firearm or~~ firearms to which the application pertains
14 under state and federal law, who submits an application in
15 accordance with the provisions of this section and who:

16 (a) Is 21 years of age or older;

17 (b) Is not prohibited from possessing a firearm pursuant to NRS
18 202.360; and

19 (c) Demonstrates competence with revolvers, ~~each specific~~
20 ~~semiautomatic firearm to which the application pertains, or~~
21 ~~revolvers and each such~~ semiautomatic ~~firearm.]~~ *firearms or both*,
22 as applicable, by presenting a certificate or other documentation to
23 the sheriff which shows that the applicant:

24 (1) Successfully completed a course in firearm safety
25 approved by a sheriff in this State; or

26 (2) Successfully completed a course in firearm safety offered
27 by a federal, state or local law enforcement agency, community
28 college, university or national organization that certifies instructors
29 in firearm safety.

30 ↳ Such a course must include instruction in the use of revolvers,
31 ~~each semiautomatic firearm to which the application pertains, or~~
32 ~~revolvers and each such~~ semiautomatic ~~firearm.]~~ *firearms or both*,
33 *as applicable*, and in the laws of this State relating to the use of a
34 firearm. A sheriff may not approve a course in firearm safety
35 pursuant to subparagraph (1) unless the sheriff determines that the
36 course meets any standards that are established by the Nevada
37 Sheriffs' and Chiefs' Association or, if the Nevada Sheriffs' and
38 Chiefs' Association ceases to exist, its legal successor.

39 ~~3.]~~ 4. The sheriff shall deny an application or revoke a permit
40 if the sheriff determines that the applicant or permittee:

41 (a) Has an outstanding warrant for his or her arrest.

42 (b) Has been judicially declared incompetent or insane.

43 (c) Has been voluntarily or involuntarily admitted to a mental
44 health facility during the immediately preceding 5 years.



1 (d) Has habitually used intoxicating liquor or a controlled
2 substance to the extent that his or her normal faculties are impaired.
3 For the purposes of this paragraph, it is presumed that a person has
4 so used intoxicating liquor or a controlled substance if, during the
5 immediately preceding 5 years, the person has been:

6 (1) Convicted of violating the provisions of NRS 484C.110;
7 or

8 (2) Committed for treatment pursuant to NRS 458.290 to
9 458.350, inclusive.

10 (e) Has been convicted of a crime involving the use or
11 threatened use of force or violence punishable as a misdemeanor
12 under the laws of this or any other state, or a territory or possession
13 of the United States at any time during the immediately preceding 3
14 years.

15 (f) Has been convicted of a felony in this State or under the laws
16 of any state, territory or possession of the United States.

17 (g) Has been convicted of a crime involving domestic violence
18 or stalking, or is currently subject to a restraining order, injunction
19 or other order for protection against domestic violence.

20 (h) Is currently on parole or probation from a conviction
21 obtained in this State or in any other state or territory or possession
22 of the United States.

23 (i) Has, within the immediately preceding 5 years, been subject
24 to any requirements imposed by a court of this State or of any other
25 state or territory or possession of the United States, as a condition to
26 the court's:

27 (1) Withholding of the entry of judgment for a conviction of
28 a felony; or

29 (2) Suspension of sentence for the conviction of a felony.

30 (j) Has made a false statement on any application for a permit or
31 for the renewal of a permit.

32 ~~[4]~~ 5. The sheriff may deny an application or revoke a permit
33 if the sheriff receives a sworn affidavit stating articulable facts
34 based upon personal knowledge from any natural person who is 18
35 years of age or older that the applicant or permittee has or may have
36 committed an offense or engaged in any other activity specified in
37 subsection ~~[3]~~ 4 which would preclude the issuance of a permit to
38 the applicant or require the revocation of a permit pursuant to this
39 section.

40 ~~[5]~~ 6. If the sheriff receives notification submitted by a court
41 or law enforcement agency of this or any other state, the United
42 States or a territory or possession of the United States that a
43 permittee or an applicant for a permit has been charged with a crime
44 involving the use or threatened use of force or violence, the
45 conviction for which would require the revocation of a permit or



1 preclude the issuance of a permit to the applicant pursuant to this
2 section, the sheriff shall suspend the person's permit or the
3 processing of the person's application until the final disposition of
4 the charges against the person. If a permittee is acquitted of the
5 charges, or if the charges are dropped, the sheriff shall restore his or
6 her permit without imposing a fee.

7 ~~[6.]~~ 7. An application submitted pursuant to this section must
8 be completed and signed under oath by the applicant. The
9 applicant's signature must be witnessed by an employee of the
10 sheriff or notarized by a notary public. The application must
11 include:

12 (a) The name, address, place and date of birth, social security
13 number, occupation and employer of the applicant and any other
14 names used by the applicant;

15 (b) A complete set of the applicant's fingerprints taken by the
16 sheriff or his or her agent;

17 (c) A front-view colored photograph of the applicant taken by
18 the sheriff or his or her agent;

19 (d) If the applicant is a resident of this State, the driver's license
20 number or identification card number of the applicant issued by the
21 Department of Motor Vehicles;

22 (e) If the applicant is not a resident of this State, the driver's
23 license number or identification card number of the applicant issued
24 by another state or jurisdiction;

25 (f) ~~[The make, model and caliber of each]~~ *Whether the*
26 *application pertains to* semiautomatic ~~[firearm to which the~~
27 ~~application pertains, if any;]~~ *firearms;*

28 (g) Whether the application pertains to revolvers;

29 (h) A nonrefundable fee in the amount necessary to obtain the
30 report required pursuant to subsection 1 of NRS 202.366; and

31 (i) A nonrefundable fee set by the sheriff not to exceed \$60.

32 **Sec. 2.** NRS 202.366 is hereby amended to read as follows:

33 202.366 1. Upon receipt by a sheriff of an application for a
34 permit, the sheriff shall conduct an investigation of the applicant to
35 determine if the applicant is eligible for a permit. In conducting the
36 investigation, the sheriff shall forward a complete set of the
37 applicant's fingerprints to the Central Repository for Nevada
38 Records of Criminal History for submission to the Federal Bureau
39 of Investigation for its report concerning the criminal history of the
40 applicant. The sheriff shall issue a permit to the applicant unless the
41 applicant is not qualified to possess a handgun pursuant to state or
42 federal law or is not otherwise qualified to obtain a permit pursuant
43 to NRS 202.3653 to 202.369, inclusive, or the regulations adopted
44 pursuant thereto.



2. To assist the sheriff in conducting the investigation, any local law enforcement agency, including the sheriff of any county, may voluntarily submit to the sheriff a report or other information concerning the criminal history of an applicant.

3. Within 120 days after a complete application for a permit is submitted, the sheriff to whom the application is submitted shall grant or deny the application. If the application is denied, the sheriff shall send the applicant written notification setting forth the reasons for the denial. If the application is granted, the sheriff shall provide the applicant with a permit containing a colored photograph of the applicant and containing such other information as may be prescribed by the Department. The permit must be in substantially the following form:

NEVADA CONCEALED FIREARM PERMIT

County	Permit Number
Expires.....	Date of Birth.....
Height.....	Weight.....
Name	Address.....
City.....	Zip
	Photograph
Signature	
Issued by.....	
Date of Issue.....	
[Make, model and caliber of each authorized semiautomatic firearm, if any]	
<i>Semiautomatic firearms authorized..... YesNo</i>	
Revolvers authorized..... YesNo	

4. Unless suspended or revoked by the sheriff who issued the permit, a permit expires 5 years after the date on which it is issued.

Sec. 3. NRS 202.3677 is hereby amended to read as follows:

202.3677 1. If a permittee wishes to renew his or her permit, the permittee must complete and submit to the sheriff who issued the permit an application for renewal of the permit.

2. An application for the renewal of a permit must:

- (a) Be completed and signed under oath by the applicant;
- (b) Contain a statement that the applicant is eligible to receive a permit pursuant to NRS 202.3657; and
- (c) Be accompanied by a nonrefundable fee of \$25.

➔ If a permittee fails to renew his or her permit on or before the date of expiration of the permit, the application for renewal must include an additional nonrefundable late fee of \$15.



1 3. No permit may be renewed pursuant to this section unless
2 the permittee has demonstrated continued competence with
3 revolvers, ~~{with each}~~ semiautomatic ~~{firearm to which the~~
4 ~~application pertains,}~~ *firearms* or ~~{with revolvers and each such~~
5 ~~semiautomatic firearm,}~~ *both*, as applicable, by successfully
6 completing a course prescribed by the sheriff renewing the permit.

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