

SENATE BILL NO. 302—SENATOR HARDY

MARCH 21, 2011

Referred to Committee on Transportation

SUMMARY—Prohibits the sale of black powder and smokeless gunpowder to certain persons. (BDR 42-981)

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 crimes; prohibiting the sale of black powder and smokeless gunpowder to certain persons; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under certain circumstances, federal law makes it a crime for a person to
2 knowingly distribute explosive materials, including black powder and smokeless
3 gunpowder, to a person who is under 21 years of age. (18 U.S.C. §§ 841, 842) This
4 bill similarly makes it unlawful for a person to distribute black powder or
5 smokeless gunpowder to a person who is under 21 years of age. A person who
6 commits this crime is guilty of a misdemeanor, punishable by a fine of up to \$500.

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

1 **Section 1.** Chapter 476 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. Except as otherwise provided in subsection 2, any person*
4 *who distributes black powder or smokeless gunpowder to a person*
5 *under the age of 21 years is guilty of a misdemeanor and shall be*
6 *punished by a fine of not more than \$500.*

7 *2. A person shall be deemed to be in compliance with the*
8 *provisions of subsection 1 if, before the person distributes black*
9 *powder or smokeless gunpowder to another person, the person:*



* S B 3 0 2 *

- 1 *(a) Demands that the other person present a valid driver's*
2 *license or other written or documentary evidence which shows that*
3 *the other person is 21 years of age or older;*
4 *(b) Is presented a valid driver's license or other written or*
5 *documentary evidence which shows that the other person is 21*
6 *years of age or older; and*
7 *(c) Reasonably relies upon the driver's license or other written*
8 *or documentary evidence presented by the other person.*
9 *3. As used in this section, "distribute" has the meaning*
10 *ascribed to it in NRS 476.010.*

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