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SENATE BILL NO. 115—SENATOR DENIS

PREFILED FEBRUARY 13, 2017

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JOINT SPONSOR: ASSEMBLYWOMAN BILBRAY-AXELROD

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Referred to Committee on Judiciary

SUMMARY—Revises provisions concerning the prohibition against carrying or possessing certain weapons while on certain property. (BDR 15-279)

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.

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AN ACT relating to crimes; revising provisions concerning the prohibition against carrying or possessing certain weapons while on certain property; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law prohibits a person from carrying or possessing certain weapons  
2 while on the property of the Nevada System of Higher Education or a private or  
3 public school or child care facility or while in a vehicle of a private or public school  
4 or child care facility and provides that any person who violates such a provision is  
5 guilty of a gross misdemeanor. Existing law also provides certain exceptions to  
6 those prohibitions and authorizes a person to carry or possess certain weapons  
7 while on the property of the Nevada System of Higher Education or a private or  
8 public school or child care facility if the person has written permission from the  
9 president of a branch or facility of the Nevada System of Higher Education, the  
10 principal of the school or the person designated by a child care facility to give  
11 permission to carry or possess the weapon. (NRS 202.265)

12 This bill additionally prohibits a person from carrying or possessing certain  
13 weapons while on the property of a public library unless the person has written  
14 permission from the governing board of the public library to carry or possess the  
15 weapon.



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

- 1       **Section 1.** NRS 202.265 is hereby amended to read as follows:  
2       202.265 1. Except as otherwise provided in this section, a  
3 person shall not carry or possess while on the property of the  
4 Nevada System of Higher Education ~~or~~ *or a private or public school*  
5 *, public library* or child care facility, or while in a vehicle of a  
6 private or public school, *public library* or child care facility:  
7       (a) An explosive or incendiary device;  
8       (b) A dirk, dagger or switchblade knife;  
9       (c) A nunchaku or trefoil;  
10       (d) A blackjack or billy club or metal knuckles;  
11       (e) A pneumatic gun;  
12       (f) A pistol, revolver or other firearm; or  
13       (g) Any device used to mark any part of a person with paint or  
14 any other substance.  
15       2. Any person who violates subsection 1 is guilty of a gross  
16 misdemeanor.  
17       3. This section does not prohibit the possession of a weapon  
18 listed in subsection 1 on the property of:  
19       (a) A *public library, the Nevada System of Higher Education*  
20 *or a private or public school or child care facility* by a:  
21       (1) Peace officer;  
22       (2) School security guard; or  
23       (3) Person having written permission from *the governing*  
24 *board of the public library*, the president of a branch or facility of  
25 the Nevada System of Higher Education, ~~or~~ the principal of the  
26 school or the person designated by ~~or~~ *the* child care facility to give  
27 permission to carry or possess the weapon.  
28       (b) A child care facility which is located at or in the home of a  
29 natural person by the person who owns or operates the facility so  
30 long as the person resides in the home and the person complies with  
31 any laws governing the possession of such a weapon.  
32       4. The provisions of this section apply to a child care facility  
33 located at or in the home of a natural person only during the normal  
34 hours of business of the facility.  
35       5. For the purposes of this section:  
36       (a) "Child care facility" means any child care facility that is  
37 licensed pursuant to chapter 432A of NRS or licensed by a city or  
38 county.  
39       (b) "Nunchaku" has the meaning ascribed to it in NRS 202.350.  
40       (c) "Pneumatic gun" means any implement designed as a gun  
41 that may expel a ball bearing or a pellet by action of pneumatic  
42 pressure. The term includes, without limitation, a paintball gun that



1 expels plastic balls filled with paint for the purpose of marking the  
2 point of impact.

3 (d) *“Public library” has the meaning ascribed to it in*  
4 *NRS 379.0057.*

5 (e) “Switchblade knife” means a spring-blade knife, snap-blade  
6 knife or any other knife having the appearance of a pocketknife, any  
7 blade of which is 2 or more inches long and which can be released  
8 automatically by a flick of a button, pressure on the handle or other  
9 mechanical device, or is released by any type of mechanism. The  
10 term does not include a knife which has a blade that is held in place  
11 by a spring if the blade does not have any type of automatic release.

12 ~~(f)~~ (f) “Trefoil” has the meaning ascribed to it in  
13 NRS 202.350.

14 ~~(g)~~ (g) “Vehicle” has the meaning ascribed to “school bus” in  
15 NRS 484A.230.

16 **Sec. 2.** NRS 202.3673 is hereby amended to read as follows:

17 202.3673 1. Except as otherwise provided in subsections 2  
18 and 3, a permittee may carry a concealed firearm while the  
19 permittee is on the premises of any public building.

20 2. A permittee shall not carry a concealed firearm while the  
21 permittee is on the premises of a public building that is located on  
22 the property of a public airport.

23 3. A permittee shall not carry a concealed firearm while the  
24 permittee is on the premises of:

25 (a) A public building that is located on the property of a public  
26 school, *a public library* or a child care facility or the property of the  
27 Nevada System of Higher Education, unless the permittee has  
28 obtained written permission to carry a concealed firearm while he or  
29 she is on the premises of the public building pursuant to  
30 subparagraph (3) of paragraph (a) of subsection 3 of NRS 202.265.

31 (b) A public building that has a metal detector at each public  
32 entrance or a sign posted at each public entrance indicating that no  
33 firearms are allowed in the building, unless the permittee is not  
34 prohibited from carrying a concealed firearm while he or she is on  
35 the premises of the public building pursuant to subsection 4.

36 4. The provisions of paragraph (b) of subsection 3 do not  
37 prohibit:

38 (a) A permittee who is a judge from carrying a concealed  
39 firearm in the courthouse or courtroom in which the judge presides  
40 or from authorizing a permittee to carry a concealed firearm while in  
41 the courtroom of the judge and while traveling to and from the  
42 courtroom of the judge.

43 (b) A permittee who is a prosecuting attorney of an agency or  
44 political subdivision of the United States or of this State from



1 carrying a concealed firearm while he or she is on the premises of a  
2 public building.

3 (c) A permittee who is employed in the public building from  
4 carrying a concealed firearm while he or she is on the premises of  
5 the public building.

6 (d) A permittee from carrying a concealed firearm while he or  
7 she is on the premises of the public building if the permittee has  
8 received written permission from the person in control of the public  
9 building to carry a concealed firearm while the permittee is on the  
10 premises of the public building.

11 5. A person who violates subsection 2 or 3 is guilty of a  
12 misdemeanor.

13 6. As used in this section:

14 (a) "Child care facility" has the meaning ascribed to it in  
15 paragraph (a) of subsection 5 of NRS 202.265.

16 (b) "Public building" means any building or office space  
17 occupied by:

18 (1) Any component of the Nevada System of Higher  
19 Education and used for any purpose related to the System; or

20 (2) The Federal Government, the State of Nevada or any  
21 county, city, school district or other political subdivision of the State  
22 of Nevada and used for any public purpose.

23 ➤ If only part of the building is occupied by an entity described in  
24 this subsection, the term means only that portion of the building  
25 which is so occupied.

26 (c) *"Public library" has the meaning ascribed to it in*  
27 *NRS 379.0057.*

28 **Sec. 3.** This act becomes effective on July 1, 2017.

