

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON JUDICIARY**

**Eighty-First Session
March 17, 2021**

The Committee on Judiciary was called to order by Chairman Steve Yeager at 8:04 a.m. on Wednesday, March 17, 2021, Online. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/81st2021.

COMMITTEE MEMBERS PRESENT:

Assemblyman Steve Yeager, Chairman
Assemblywoman Rochelle T. Nguyen, Vice Chairwoman
Assemblywoman Shannon Bilbray-Axelrod
Assemblywoman Lesley E. Cohen
Assemblywoman Cecelia González
Assemblywoman Alexis Hansen
Assemblywoman Melissa Hardy
Assemblywoman Heidi Kasama
Assemblywoman Lisa Krasner
Assemblywoman Elaine Marzola
Assemblyman C.H. Miller
Assemblyman P.K. O'Neill
Assemblyman David Orentlicher
Assemblywoman Shondra Summers-Armstrong
Assemblyman Jim Wheeler

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblywoman Sandra Jauregui, Assembly District No. 41
Assemblyman John Ellison, Assembly District No. 33



STAFF MEMBERS PRESENT:

Diane C. Thornton, Committee Policy Analyst
Bonnie Borda Hoffecker, Committee Manager
Lori McCleary, Committee Secretary
Melissa Loomis, Committee Assistant

OTHERS PRESENT:

John M. McManus, Executive Vice President, Secretary, and General Counsel, MGM Resorts International
David Pucino, Senior Staff Attorney, Giffords Law Center to Prevent Gun Violence
Stephen J. Lindley, Program Manager, Brady Campaign & Center to Prevent Gun Violence
Emily Walton, Regional Director, State Affairs, Everytown for Gun Safety; and Member, Moms Demand Action for Gun Sense in America
Todd Mason, Director, Government Affairs, Wynn Resorts, Ltd.
James Sullivan, representing Culinary Workers Union Local 226
Chelsea Parsons, Vice President, Gun Violence Prevention Policy, Center for American Progress
Annette Magnus, Executive Director, Battle Born Progress
Elizabeth Becker, Volunteer, Nevada Chapter, Moms Demand Action for Gun Sense in America
Karl Catarata, Private Citizen, Las Vegas, Nevada
Kristee Watson, Private Citizen, Las Vegas, Nevada
Kimi Cole, Private Citizen, Carson City, Nevada
Fahima Khalaf, Private Citizen, Las Vegas, Nevada
Leonard B. Jackson, Executive Director, Faith Organizing Alliance
Emily Woodall, Private Citizen, Las Vegas, Nevada
Susan Proffitt, Private Citizen, Las Vegas, Nevada
Marissa Morano, Volunteer, Moms Demand Action for Gun Sense in America
Elaine Sanchez, Private Citizen, Las Vegas, Nevada
Teresa Crawford, Volunteer, Nevada Chapter, Moms Demand Action for Gun Sense in America
Christiane Brown, Private Citizen, Reno, Nevada
Margy Feldman, Member, Sun City Anthem Democratic Club, Henderson, Nevada
Daniel Reid, Western Regional Director, National Rifle Association of America, Institute for Legislative Action
Michael Findlay, representing National Shooting Sports Foundation, Inc.
John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office; and representing Washoe County Public Defender's Office
Adam McGuire, Private Citizen, Stagecoach, Nevada
Lynn Chapman, State Vice President, Nevada Families for Freedom
Janine Hansen, State Chair, Independent American Party of Nevada
Mory Rezai, Private Citizen, Las Vegas, Nevada
Joshua Rosenthal, Private Citizen, Henderson, Nevada

Bruce Parks, Founder, Nevada Patriot; and Secretary, Battle Born Patriots, Sparks, Nevada
Kimberly Fergus, Private Citizen, Las Vegas, Nevada
Spencer Achiu, Private Citizen, Las Vegas, Nevada
Andrew Spinney, Private Citizen, Las Vegas, Nevada
Shawn Meehan, Founder, Guard the Constitution, Minden, Nevada
Daryl DeShaw, Private Citizen, Las Vegas, Nevada
Jim DeGraffenreid, National Committeeman, Nevada Republican Party
Brittany Sheehan, Private Citizen, Las Vegas, Nevada
Joes Rivas, Private Citizen, Las Vegas, Nevada
Greg Gar, Private Citizen, Genoa, Nevada
Emily Persaud-Zamora, Executive Director, Silver State Voices
Loran Kelley, Owner, Polymer80, Dayton, Nevada
Justin Rost, Private Citizen, Winnemucca, Nevada
David Gomez, President, Nevada Peace Alliance; and Deputy Director, League of United Latin American Citizens
Chuck Callaway, Police Director, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department
Annemarie Grant, Private Citizen, Quincy, Massachusetts
Maggie Mordaunt, Private Citizen, Henderson, Nevada
Stephen Crescenti, Private Citizen, Las Vegas, Nevada
Gina St. Ores, Private Citizen, Reno, Nevada
Ethan Cullings, Private Citizen, Henderson, Nevada
Debra Songer, Private Citizen, Carson City, Nevada
Amber Carrillo, Private Citizen, Wellington, Nevada
Jesse Mosley, Private Citizen, Las Vegas, Nevada

Chairman Yeager:

[Roll was called. Committee rules and protocol were explained.] Today's hearing will be one of those days where there will be very strong and passionate disagreements on the bill in front of us. That is perfectly okay; we welcome the passion. What we do not welcome is personal attacks, inappropriate comments, profane language, and the like. I am asking all Committee members and those who may be participating on Zoom or by phone to keep your comments respectful and keep them to the substance of the bill. If we can do that, we are going to have a very successful meeting. If you are not able to stay within those parameters, you will forfeit the opportunity to provide the remainder of your testimony.

We have one bill on the agenda today. There is a lot of interest in this piece of legislation. Before I hand it over to our sponsor and presenters today, I just want to give everyone a brief description of how this meeting is going to operate. We are going to give the sponsor and presenters a chance to present the bill. There are two main concepts in the bill, so each of those concepts are going to be presented separately. After that, we will have an opportunity for questions. Members, I believe there may be a lot of questions, but I think we can help this meeting move along if you can really think about the question you have and be succinct in asking it. Hopefully, that will give everyone an opportunity to have his or her questions

answered. We will then take testimony in support, opposition, and neutral. I can tell you right now, we have more people who would like to offer testimony than we are going to have time for today. We do have a hard stop in the Committee at 11:30 a.m. We are going to get through as much of that testimony as possible. For those who would like to give testimony and are not able to do so today, I would recommend you submit it in writing, express your opinion on the Nevada Electronic Legislative Information System, or send emails. We are going to power through and do the best we can to get through this bill. I will open the hearing on Assembly Bill 286, and welcome Assemblywoman Jauregui.

Assembly Bill 286: Prohibits certain acts relating to firearms. (BDR 15-21)

Assemblyman Wheeler:

Chairman Yeager, I have a point of order if you do not mind. We just received a 20-page amendment [[Exhibit C](#)] to this bill early this morning. I know none of the caucus members or I had seen it until we walked in. I am wondering if we could put this hearing off for 24 hours so we can actually digest everything in the bill and amendment.

Chairman Yeager:

I will note, Assemblyman Wheeler, the amendment was sent out to all members yesterday about 7:15 p.m., so it should have been in everyone's inbox for at least 12 hours. Unfortunately, we do not have the luxury of pushing up any hearings. I will ask you to do the best you can. I believe Assemblywoman Jauregui did send a summary of that amendment, and I believe she will go over that. I appreciate the request, but it is respectfully denied. We will move on with the presentation.

Assemblywoman Sandra Jauregui, Assembly District No. 41:

Once we get through the presentation, I will go through the four minor changes that the amendment [[Exhibit C](#)] makes.

I am here today to present Assembly Bill 286 for your consideration. In October 2017, my friends, my husband and I, and countless others were at the Route 91 Harvest festival when a gunman opened fire, killing 58 people, wounding nearly 500 others, devastating our city, and changing our lives forever. People were here visiting Las Vegas to have an exciting, fun, memorable trip only to experience the deadliest mass shooting in modern U.S. history.

While we have made progress in the years since then, we have also seen continued violent incidents that have left both Nevadans and Las Vegas visitors questioning the safety of our community. In 2020, during a three-month period from mid-July to October, we witnessed seven shootings, including a shooting in front of the Aria Resort and Casino, a handgun just discharging inside the MGM Grand on the casino floor, and a shooting outside the Miracle Mile Shops at Planet Hollywood. The Las Vegas Metropolitan Police Department (LVMPD) confiscated 64 guns on the Strip. Just last week, we saw a shooting and a murder at the Wynn Resorts' garage. Captain Dori Koren of the LVMPD said in a January interview to the

Associated Press that violent crime on the Strip rose significantly in September and the primary driver for this activity was related to a sharp rise in firearm-related incidents and aggravated assaults. I know LVMPD and the sheriff are doing the best they can to handle this uptick, but they simply need more tools.

In a post-COVID-19 world, we know we need to show visitors and residents alike that we are a place where they can forget about their problems, not come to find more. We know we need every selling point we can get to get our tourism economy back on track. This is why I am bringing forth A.B. 286.

I would like to break this bill into two sections. Part one is the business empowerment section of the bill, which covers sections 2, 8, and 9. Part two of the bill includes sections 3, 4, 5, and 7, and deals with the rising epidemic of unmarked, untraceable guns known as "ghost guns."

Part one of the "Keep Nevada Safe" bill strengthens existing law by empowering business owners to make the decision whether or not to allow armed individuals on their property. If an individual unlawfully trespasses while in possession of a firearm, this bill puts teeth into existing law and provides criminal penalties persons can face, ranging from a misdemeanor to a category E felony if they violate a business property owner's rights.

With your permission, I would like to turn the presentation over to John McManus from MGM Resorts for remarks on the business empowerment section of the bill, and then continue to part two.

John M. McManus, Executive Vice President, Secretary, and General Counsel, MGM Resorts International:

As we emerge from the COVID-19 pandemic and continue to reopen Las Vegas, it is absolutely essential that we address an issue that has emerged as increasingly concerning for the future of Nevada's economy: violence on the Las Vegas Strip. No sector in Nevada has been as negatively impacted by the pandemic as tourism and the hospitality industry, the economic backbone of the state's economy. Our industry's ability to recover will greatly depend on its ability to maintain and ensure the public health and safety of our guests, patrons, and employees. To be clear, this bill is not intended to limit any individual's right to bear arms in Nevada.

Private businesses already have the ability to prohibit the presence of firearms on their premises. This language simply enhances the business community's tool kit to notify patrons of this prohibition and to call upon law enforcement to assist and address situations before they escalate.

The intent behind sections 1, 2, 8, and 9 of Assembly Bill 286 is to promote public safety as well as cooperation between the Nevada business community and law enforcement agencies. I want to stress, businesses may opt in to firearm prohibition with exemptions, including but not limited to law enforcement and security personnel, certain hotel guests, and attendees of trade shows that feature firearms, which are a vital part of our economy.

In closing, the language is not intended to prevent any specific incident on the Strip, but rather to prevent the emergence of the culture that invites violence on the Strip. It is essential that we signal to our customers all over the world that Las Vegas is the safest place to be. I would be happy to answer any questions at the appropriate time during the hearing.

Assemblywoman Jauregui:

We will be moving to part two of the bill, but first I would like to thank Mr. McManus for mentioning what I had left out, that this is an opt-in policy for businesses. Part two of our bill, sections 3, 4, 5, and 7, deal with the rising epidemic of unmarked, untraceable guns, also known as ghost guns. Ghost guns are growing in popularity because they circumvent background checks and are untraceable. These types of guns are manufactured in homes and also sold online as kits that are often easily assembled and, if they are used in a crime, law enforcement has no way to trace them because they do not have serial numbers.

In 2020, agents from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) within the U.S. Department of Justice, raided a Nevada-based company, Polymer80, Inc., one of the nation's largest manufacturers of ghost guns. Polymer80 was illegally manufacturing and distributing firearms, failing to pay taxes, shipping guns across state lines, and not conducting background checks. Last September, two deputies from the Los Angeles County Sheriff's Department were shot while sitting in their patrol vehicle by a man using a gun he built with parts from a Nevada company, Polymer80.

I would now like to turn it over to David Pucino, followed by Stephen Lindley and Emily Walton, for further remarks.

David Pucino, Senior Staff Attorney, Giffords Law Center to Prevent Gun Violence:

Giffords Law Center to Prevent Gun Violence is the legal arm of the organization founded by former Congresswoman and gun violence survivor Gabby Giffords. As the Assemblywoman said, I will be speaking to part two of A.B. 286 concerning ghost guns.

Ghost guns evade our gun laws by ingeniously exploiting a loophole in the way the federal government regulates firearms. Firearms are made up of a number of different components, but only one of these components is subject to regulation. That part is generally called the "frame" in the case of handguns and the "receiver" in the case of long guns. When individuals buy a traditionally manufactured frame or receiver, they are subject to a background check. It will come with a serial number and other markings that uniquely

identify it, and records of the sale will be made and kept. This process confirms that the buyer is legally allowed to possess firearms. It also enables a process called tracing, which is a critical tool for law enforcement in gun investigations because it allows them to connect a recovered firearm to its retail buyer and back up the supply chain.

Ghost guns evade all of these regulations. Companies sell a frame or receiver that has not quite been fully manufactured and, as a result, the federal government does not classify it as a firearm. There is no background check, there is no serial number, and there are no records. They are untraceable and are often sold with all the guides, tools, and parts needed to produce a fully functional firearm with no particular training or experience. As a result, they are a ready way for people who are not allowed to buy a gun to legally obtain one, nevertheless. They have been used by such individuals who are prohibited because of felony convictions or because they are underage in acts of mass violence, including at the Santa Monica College and Saugus High School in California.

Ghost guns have become so pervasive in California that according to the Bureau of Alcohol, Tobacco, Firearms and Explosives, one in three guns they recover there is a ghost gun. While the problem of ghost guns first emerged in earnest in California, it is rapidly spreading across the country. City after city are reporting massive increases in the number of ghost guns they are recovering. This disturbing trend has redoubled in the pandemic year, as ghost gun sellers have reported they are selling so many, they are having trouble keeping them in stock.

To give you just one example from this week, Pennsylvania Attorney General Josh Shapiro announced the number of crime gun recoveries of ghost guns in Philadelphia has increased massively in the last couple of years. In 2019, there were 99 recoveries in Philadelphia. In 2020, there were 250. In 2021, they are on pace for 600 recoveries of ghost guns connected to a crime.

This pattern is being felt across the country. Precisely because these products evade federal regulation, we do not truly know how many ghost guns are out there. What we do know is part of the reason for this explosion of ghost guns is they are highly attractive to gun traffickers. There is no need to recruit a straw purchaser with a clean record to purchase a gun from a gun dealer. There is no need to travel to different dealers to disguise buying patterns. There is no need to worry about paperwork that will link the guns back to the purchase. They are easy to obtain and untraceable. It is no wonder that when law enforcement uncovers trafficking rings, they are often finding ghost guns, including in Nevada, where one trafficking ring was using ghost gun products to manufacture untraceable machine guns.

For all of these reasons, it is my belief that ghost guns pose the fastest-rising threat to gun safety in this country. Assembly Bill 286 will address this growing crisis by cutting off the supply of ghost guns at its source. Section 3 of the bill would prohibit the unfinished frames

and receivers that are designed to avoid federal regulations. Sections 4 and 5 will address the manufacturer's possession and sale of the completed weapons. Together, this bill gives law enforcement the tools it needs to stop the flow of these parts to traffickers who are flooding the streets with untraceable firearms.

I also want to note what this bill will not do. It will not affect the manufacturing activities of firearm manufacturers that produce and sell traditional, traceable firearms, as there is an exception for licensed manufacturers. It will not prohibit the activities of hobbyists or scratch-build enthusiasts who build historically accurate firearms, as there is an exception for antique firearms, which includes replicas of weapons made before the twentieth century. It will also not prevent gun enthusiasts from assembling and customizing legally owned, traditionally manufactured firearms. Anyone who is legally allowed to possess firearms will still be able to purchase a serialized frame or receiver and build a firearm around that traceable component.

Lastly, I want to note that this bill will not immediately criminalize anyone who currently possesses these untraceable firearms. There will be a grace period that allows individuals to sell out of state, to surrender, or to render inoperable their untraceable firearms by January 1.

I want to thank you again for the opportunity to present to you today. I believe Mr. Lindley will be presenting next.

Stephen J. Lindley, Program Manager, Brady Campaign & Center to Prevent Gun Violence:

I would like to go through a short tutorial about exactly what a ghost gun is, how they are being sold, and some of the impacts for the law enforcement community. I am a 28-year veteran of law enforcement in California. Between 2009 and 2018, I ran the California Department of Justice, Bureau of Firearms.

This PowerPoint presentation [[Exhibit D](#)] deals mainly with federal law. Essentially, an 80 percent receiver is the frame of a firearm that is manufactured just below the level of completion that would require it to be considered a firearm under ATF regulations [page 2]. The ATF does have some discretion in how they look at what is and what is not a firearm and those laws impact the rest of the United States, not just particular states. Because it is not a firearm, it is not required to be serialized and not subject to any form of background check under the federal guidelines. With that, if there is no background check and no serial number, it cannot be traced in a crime. Hence, the term "ghost gun." It really does not exist in government entities, and law enforcement has no authority to find out where that gun came from when used in a crime.

Why is it a problem [page 3]? It circumvents almost all state and federal firearm laws, and if we do not have a background check, that equals big problems for not only the federal government, but for the states because we cannot keep these firearms out of the hands of

prohibited people, criminal gang members, narcotics traffickers, or people who are just prohibited from purchasing firearms because of domestic violence or mental health issues. We have seen these firearms being used by these individuals throughout the United States, including Nevada.

There are really two types of ghost guns. Again, this problem, as Mr. Pucino said, started in California as a way to get around California's assault weapon laws. These are pictures [page 4] taken at a gun show in California in late 2019. On the left is a traditional lower receiver for an AR-15, but it is in a ghost gun configuration. As you see, there is a magazine well in the middle picture, but there is no trigger mechanism; that is basically cut out of the firearm. This is sold for \$120. Oftentimes, when they sell these, it is cash and carry, no background checks, no license checks, and no age verifications. These are available to be purchased by individuals under the age of 21, depending on the state, and even under age 18. They can also be easily purchased online. The picture on the right is a different configuration that can be purchased even at a California gun show. It shows it in a pistol format AR-15 to a regular AR-15 configuration.

According to the ATF's 2018 Firearm Tracing Report for Nevada [page 5] that was released in 2019, Nevada recovered and traced a little over 1,000 long guns, of which assault weapons were a small percentage. However, there were over 4,500 handguns recovered at Nevada crime scenes. That is where we start to see the change with the ghost guns going from the assault weapon platform to the handgun platform. Assault weapons are used in most mass shootings. However, they are not as prevalent in day-to-day crimes as handguns are. That is not only a trend in Nevada, but it is pretty much a trend throughout the nation.

The picture on the left [page 6] are Polymer80 pistols in the ghost gun configuration. They are being displayed in a gun show but are not put together. However, the box underneath contains the rest of the components to put the gun together. In a subsequent gun show that had no regulations or enforcement from ATF or from the California Department of Justice, the vendor started putting them together with zip ties and rubber bands in order to show how they would actually look when they are put together. The picture on the right is the completed kit. As Mr. Pucino said, everything is in the kit made by Polymer80 to put the gun together: all the components for the firearm, along with the jig in order to drill the holes, and the materials in order to shave or sand off certain components that would bring it into a configuration to be a firearm.

This is a report on some of the California statistics [page 7, [Exhibit D](#)]. The ATF is reporting that in California alone, about 30 percent of the firearms they recover are considered ghost guns. Looking at the problem in 2000, there were zero. In 2010, there were a few being recovered. Now, ghost guns amount to 30 percent of all firearms that ATF is recovering. The City of Los Angeles Police Department recovers a large number of firearms and is reporting approximately 40 percent of the firearms recovered are considered ghost guns. That prompted the Los Angeles City Attorney, Mike Feuer, to sue Polymer80 over its business practices in providing firearms to the general public that are being used more and more during criminal activity.

Some of the things different states have done in order to address this problem include California passing Assembly Bill 1673 in 2016 [page 8]. The bill was vetoed by Governor Brown at the time. That would have stopped the problem in California before it got out of control. We missed that opportunity. In 2019, Assembly Bill 879 was passed and signed by Governor Newsom [page 9]. It originally was not going to take effect until July 2025. We were able to provide a large amount of money to the California Department of Justice to move up the implementation date. That will provide the ammunition and background check process California has toward the precursor parts of the ghost guns. However, that is not nearly as good of a background check that California does for most firearms, or even what the federal government does through the National Instant Criminal Background Check System (NICS) process.

Pennsylvania's Attorney General Josh Shapiro, in 2019, saw this as a growing problem and classified ghost guns as firearms that would require a background check [page 10]. Even that has not stopped some of the problems in Pennsylvania because the guns are so easy to traffic because there are no serial numbers.

Washington, D.C., having significant crime problems, especially with firearms, decided to take action in March 2020 because there was a growing problem with ghost guns [page 11]. In June 2020, Rhode Island passed a bill banning so-called ghost guns, making it illegal to manufacture, import, sell, ship, deliver, or possess them in Rhode Island [page 12]. Again, Washington, D.C., in June 2020, tried to take a more aggressive action by suing the manufacturer, Polymer80 [page 13]. That has been somewhat of a trend from other states and cities specifically targeting Polymer80, where the ghost guns are manufactured in Nevada. New York also took action [page 14]. We can see states and cities trying to avoid this problem or address it before it becomes too big of a problem.

This is the Polymer80 [Mr. Lindley held up an example]. These can be purchased at brick-and-mortar stores, and they are very prominent at gun shows, not only in California and Arizona, but Nevada as well. It comes with all the pieces needed. This is a jig [example shown]. It is hard to see on video. The kit provides a tutorial about what pieces need to be removed with a sandstone or by cutting. There are six holes to drill and a piece to snap off in the middle. That is all it takes to make an 80 percent lower receiver into a lower receiver that would then, under federal law, need to be serialized. All the pieces and tools come in the kit, including the barrel and the slide. This kit was purchased for \$400 cash at a Ventura, California, gun show in February 2020. It was a banner sale at this particular vendor. There were individuals under 21 years of age purchasing them. In California, individuals cannot purchase a handgun if they are under age 21. There was at least one individual who was clearly under 18 who purchased a kit. It is only cash and carry. The vendors do not provide receipts. This looks like an opportunity to have firearm trafficking because there are no regulations behind it in most states, and there are no background or identification checks.

As Mr. Pucino said, this is becoming more of a problem. In 2019, three California Highway Patrol officers were shot; one unfortunately died. The shooter was an ex-felon who possessed an AR-15-style ghost gun, which he was able to get because there are no background checks. In Sacramento, another officer was killed with an illegal ghost gun that was purchased by an individual who was prohibited in California from having a firearm. He made it into a full weapon and killed an officer. Most recently, there were two deputies in Los Angeles who were ambushed outside of a rail station. Again, that individual had a ghost gun. That prompted the City of Los Angeles to take action and move forward with a lawsuit against Polymer80, which is located in Nevada.

That is the end of my presentation, but I will stay on for any questions you might have about ghost guns, specifically. This is becoming a bigger problem and, because they are not serialized, there is nothing law enforcement can do to trace these back to the individuals who originally purchased them or to the manufacturers. That is a huge problem when it comes to investigations of serious crimes, specifically shootings and homicides.

Chairman Yeager:

Mr. Lindley, would you please email your presentation to our committee manager? I do not see that we have it uploaded on our website, but I think it would be useful to have it as an exhibit [[Exhibit D](#)]. We will have a little more testimony before I open the hearing for questions. Ms. Walton will provide additional testimony.

Emily Walton, Regional Director, State Affairs, Everytown for Gun Safety; and Member, Moms Demand Action for Gun Sense in America:

Our partners in this movement have done a great job demonstrating the problem with ghost guns. When it comes to gun violence, the rise of ghost guns is the fastest-growing gun safety problem we have seen in years. During the pandemic, due to panic buying, ghost gun building blocks have been flying off the shelves.

Making a ghost gun only takes a few hours, and the ATF has allowed the core building blocks for these guns to be sold online with no background check or serial number. This means that ghost gun building blocks can be delivered right to the front door of a convicted domestic abuser, a gun trafficker, a child, or a white supremacist, without a background check. They are untraceable if later used to commit a crime.

Over the last decade, nearly 2,500 ghost guns were connected to criminal activity in 102 federal cases. We urge you to support this bill.

Chairman Yeager:

Assemblywoman Jauregui, I will hand it back over to you for some remarks on the bill itself, and then we will open it up for questions.

Assemblywoman Jauregui:

I want to take this opportunity to walk the members of the Committee through the slight changes in the amendment [[Exhibit C](#)] I submitted yesterday evening. There are no substantive changes to the bill, but there are minor clarifications. We are changing section 2, subsection 7, paragraph (d), subparagraph (1), sub-subparagraph (III), "including all tenants and business establishments located therein:". We are also adding the word "authorized" in front of "agent" throughout the bill.

We are changing section 2, subsection 2, paragraph (a), so the "opt in" is accomplished by posting a sign on the premises. We are also adding to section 2, subsection 5, paragraph (b), subparagraph (1), "or a security officer of the covered premises" as an exemption. We are changing references from handguns to firearms throughout the bill. We are also adding section 2, subsection 5, paragraph (b), subparagraph (4), to expand the exemption language for employees or operators of a trade show to hold or transport inoperable firearms.

We are now available for questions.

Chairman Yeager:

I know we are going to have a number of questions. Before we start, I would like to ask a clarifying question to make sure I understand what this bill is trying to do. Like many Committee members, I have received quite a number of emails about the bill. I want to confirm that this bill is talking about a covered premises, but nothing in this bill requires a covered premises to adopt a policy outlawing firearms, and even if the policy is adopted, nothing requires the premises to enforce the policy. The reason I ask that is, in section 2, subsection 6, on page 7 of the amendment [[Exhibit C](#)], my reading of it is this is essentially an opt-in sort of scenario for the covered premises.

I just want to make sure I understand that correctly because I have been getting a lot of communications that seem to indicate there is going to be an outright ban on everything this bill defines as a covered premises. Could you address that issue, please?

Assemblywoman Jauregui:

You are correct. Section 2, subsection 6, paragraph (b), states nothing in this section shall "Require an owner or operator" This is not a mandate on small businesses. It is simply an opt-in policy that a business can choose to opt in to.

Chairman Yeager:

Before we go to questions, I want to let members know that the presentation of that bill took about 30 minutes. I have reserved 30 minutes for us to get through questions. I do not know if that is going to be adequate, but we are going to do the best we can because I want to make sure we get to testimony on the bill. Please try to keep your questions as concise as possible. Assemblywoman Jauregui, when a question is asked, I will simply go to you to answer the question or you can invite one of the other presenters to answer it. We will start the questions with Assemblywoman Cohen.

Assemblywoman Cohen:

My question is in regard to the covered premises. Is there no pre-notice? If there are individuals coming from out of town and are used to carrying a firearm, when they arrive at the covered premises and see the sign, they have travelled a great distance and now do not have a place to stay. Would you consider requiring that covered premises post that information on their website when reservations are made so we are accommodating people to make sure they have knowledge before they travel?

Assemblywoman Jauregui:

This is the minimum that the covered premises have to do. At a minimum, they have to provide notice by posting a sign at their facility if they are deciding to opt in. If covered premises decide to do anything on top of that, such as providing notice before someone makes a reservation, it is up to the covered premises. What this bill is outlining is the minimum of what covered premises have to do if choosing to opt in to this legislation.

Chairman Yeager:

Assemblywoman Cohen, did that answer your question?

Assemblywoman Cohen:

It did, but I still have some concerns about individuals having no notice prior to arriving at the premises. My only other question is on page 4 of the bill on line 32 regarding guests provide written notification. I want to clarify if that could be by email as opposed to written paper.

Assemblywoman Jauregui:

Those are great suggestions, Assemblywoman Cohen. I would be happy to work with you after the hearing on suggestions you think may improve the intent of the bill.

Assemblyman Wheeler:

My first question is for Mr. Lindley. The kit guns you called ghost guns are used by a lot of hobbyists. Under federal law, those are quite legal, so outlawing them in Nevada, as this bill tries to do, basically puts a company in my district out of business. People can still go outside and buy these federally. If this is such a good law, should it not go to Congress and not to the state level, one at a time? My second question is regarding liability protection on the other side of this bill by outlawing guns. I see a lot of problems there. For businesses that opt in to this legislation, would there be a requisite for them to provide security or liability protection for people who can no longer protect themselves in an environment where, as we have seen so many times before, concealed weapons holders have been able to protect themselves when a bad guy comes in with a gun?

Steve Lindley:

It would be better if this were addressed on the federal level. The ATF has the ability to deal with this through a regulatory process. However, that is not currently taking place, so states, counties, and cities are addressing it individually. It makes for some differences between

what might happen in California compared to what might happen in New York, Pennsylvania, or Washington, D.C. All of these states and cities are trying to address the problem we see with the ghost guns and the easy access that criminals have to these firearms.

Assemblyman Wheeler:

We are going to drive a company in my district out of business, but people can still buy them in Kentucky. Maybe my constituents can move there and make solar panels.

Assemblywoman Jauregui:

Assemblyman Wheeler, I think you had another question directed toward me. Could you repeat it for me?

Assemblyman Wheeler:

What liability protections and security requirements are going to be required when businesses opt in to this legislation because licensed carriers can no longer carry in these areas?

Assemblywoman Jauregui:

I would be happy to have discussions with you after the hearing regarding liability. Carrying a concealed weapon or carrying an armed weapon does not necessarily mean individuals are fully protected. I would remind you, the man who was killed at the Wynn garage was also armed.

Assemblyman Wheeler:

What you are saying is there is no liability protection?

John McManus:

Business owners and property owners already have duties under common law to provide safe environments for their business invitees. I do not see that changing. It is a matter of what is reasonably foreseeable under the circumstances. I suspect, at least in a casino environment, any casino that chooses to opt in will already have extensive security plans and provisions for that sort of thing. I think it is probably adequately addressed under existing common law.

Assemblyman Wheeler:

I would agree with you regarding a large business like yours. I am talking about a 7-Eleven or even a political gathering somewhere. Those businesses cannot afford that type of security.

Assemblywoman Jauregui:

This is an opt-in policy, so businesses can choose to opt in. There are already a few properties that do not allow firearms on their premises. This is already existing law.

Chairman Yeager:

We will move on to other questions at this time.

Assemblywoman Hansen:

I think you have touched on some of this already. My question concerns section 2, subsections 2 and 5. In relationship to concealed weapons permit holders coming to a property that has opted in, do they need to have permission to have their weapon to stay in the hotel?

Assemblywoman Jauregui:

Yes. If property owners opt in to this piece of legislation, they would have to provide notice. That would apply to everyone carrying a firearm, unless they have written notice from the property owner that they are allowed to be in possession of a firearm while on the property.

As we look at the Las Vegas Strip area, this is already common practice. All the MGM properties prohibit people from being on their properties with a firearm. In 2020, we saw the Wynn Resorts start implementing the same policy and they installed metal detectors upon entry to the property. This already applies in current day to people who are openly carrying and people who have concealed weapons permits.

Assemblywoman Hansen:

For existing law, how are concealed weapons permit holders handled who come to a property? They cannot take their weapon inside but have to keep their weapon in the vehicle that is parked on the premises. Are those individuals now in violation and would perhaps be guilty of a misdemeanor because they have mere possession somewhere on the premises? If they are in the habit of keeping their gun in their car because of where they might be travelling, but then go to a property that has opted in and does not allow weapons, what happens to those permit holders who have a weapon in their car because they cannot bring it into the building? Do they need to park their car off the property? How do we handle it now?

Assemblywoman Jauregui:

They have to have written permission from the property to have a firearm on the property if it is a property that has opted in to this legislation. As to how it is handled now, I am not sure. Mr. McManus, can you speak to how it is handled now?

John McManus:

This is a situation we currently deal with. The law-abiding citizen, typically individuals who have a concealed carry permit, read the policy and see the notification as they enter the property, and realize firearms are prohibited. We frequently check in guns through our security department and keep them in a safe while the guests stay with us. This bill is designed more for the person who is not law-abiding. I think some of the suggestions or scenarios outlined in the question are probably good points for discussion. We want to discourage people from bringing firearms onto the property and possessing them while on the property. If there are reasonable modifications to the bill that permit people to store them in a vehicle—which I do not know if that is desirable—or checking them in with a property that prohibits them, they would be worthy of a discussion. As I said, it is a scenario we already deal with.

I do not know if that was responsive or helpful, but I am happy to expand if necessary.

Assemblywoman Hansen:

I think the difference is now the first offense is a misdemeanor. The second offense is a gross misdemeanor. For concealed weapons permit holders who are new to Nevada and realize they cannot have it in the hotel, they may leave it in their cars. I am worrying about the punitive side of the legislation as well as some other things.

Assemblyman O'Neill:

If this is opt-in legislation and we already have a law that private businesses can refuse entry to individuals with a firearm, why do we need the first section of this bill?

Assemblywoman Jauregui:

If someone is trespassing with a firearm on property that has opted in to this legislation, it gives businesses the opportunity to lean on law enforcement for removal of that person.

John McManus:

That is exactly right. Currently, although property owners are permitted to exclude people with guns or set other rules to exclude people, there is really no teeth to it. There is probably not a lower priority for law enforcement than someone violating a trespass notice. Again, as we think about the bill and the possible enforcement, there is also discretion among law enforcement and prosecutors on what to pursue. The person who innocently brings a firearm onto the property, learns of the rule, and then tries to do the right thing to figure out what to do with it is probably very unlikely to be prosecuted. However, the person who brings a weapon onto a property, tries to conceal it, and is aware of it, this law gives the business owners teeth to deal with those individuals. Up and down the Strip, I do not know if I am aware of a property that does not have a sign on the door indicating firearms are prohibited. We saw what happened this summer when we had certain parts of the criminal element deciding the Strip was a good place to hang out when everything else was closed and they were bringing weapons freely. All businesses could do was ask them to leave. They would come back the next day or later the same night. There is not much that can be done.

At least by putting some criminal sanction behind the law when it is knowingly violated, in my estimation it decreases the likelihood that someone who might not be setting out to commit a crime, such as robbery, but is carrying a weapon for less than honorable reasons might decide it is not a good idea to bring a weapon into a casino or somewhere else where there is a potential criminal sanction. In other parts of the country, including in the West, there are laws that prohibit possession of firearms in places that serve alcoholic beverages. It is really designed to lower the risk of a bad outcome when someone who might lawfully own a weapon but does not possess it for a good reason and brings it to a property where the property owner does not want it.

Assemblyman O'Neill:

Not to sound argumentative, Mr. McManus, but what I am hearing is there was an increase in crime along the Strip. The LVMPD has increased their presence on the Strip, and I believe some of that crime has dissipated. Are you saying that for the casinos along the Strip, if there were a person who was told to leave and was criminally trespassing, the LVMPD would not respond?

John McManus:

I am saying a trespass violation is a relatively low priority for law enforcement. I am not a member of law enforcement. I think there are some members of law enforcement testifying later today. It is not a high priority. The reality is, when these calls are made, it is usually individuals who are causing a disturbance or trouble or doing something suspicious that causes the businesses to do more than simply ask them to leave. When those individuals leave, it is usually fine. However, when they do not leave, at that point they have committed a crime and it gives law enforcement greater basis to interact and question them to determine what their intentions are or what the purpose of having the weapon on the property is. Right now, if they decide to walk out the door, that is where the interaction ends. All you can do with a current trespass is ask someone to leave. There is no other sanction. I do not know if that is helpful or not. I think your question might be better directed to law enforcement.

Assemblyman O'Neill:

I did 40 years in law enforcement. I am currently authorized, under federal law, H.R. 218, to carry a firearm, which will lead to my next question. Is this going to bring confusion about walking down the Strip, going to one place that allows and another that does not? When can I carry? It is a federal law. Are we trying to solve an issue in Las Vegas on the Strip that is going to influence Elko, Tonopah, et cetera?

Unfortunately, I regularly run into people who I have arrested here in Carson City. I may or may not carry, but I feel now I am going to run into people who have threatened me. I put some in custody who, if they ever escape, I will remove my family because they have vowed to kill me. I feel like I am losing the protection I have that is given to me by the federal government. That is more of a statement, if you would like to comment.

I do have a question for Mr. Lindley on the various laws throughout the country.

Assemblywoman Jauregui:

This is in no way prohibiting you from carrying with your concealed carry permit. This in no way stops what you currently do. The only change this is making is that for businesses who choose to opt in to this piece of legislation, some of whom may already have the practice of prohibiting firearms on their property, it changes a trespass into a criminal trespass in order for them to lean on law enforcement. It puts teeth behind an already-existing policy. This in no way impacts you in your current day-to-day practice.

Assemblyman O'Neill:

We may agree to disagree. I understand part of your answer. However, when I am in those buildings where the company has said I cannot carry and run into a group of people, I do feel threatened and concerned for my safety. There are things other than firearms that are extremely dangerous weapons.

Mr. Lindley, regarding the various laws you mentioned throughout the various states, the most famous is to always pick on Illinois and Chicago, where there are some of the strictest gun laws among the states. Have any of these laws decreased gun violence? I look at Chicago every week and it outnumbers every other state in shootings, let alone homicides.

Steve Lindley:

Chicago and Illinois have some unique issues they have to overcome, especially with the surrounding states and localities that have very lax gun laws compared to the city of Chicago. What we have seen in California is over the last 20 years with stricter gun laws, there has been a reduction in overall firearm violence. We also have to talk about suicides as well as firearm violence. California has seen a sharp decrease over the last 25 years when it comes to suicide with the use of a firearm.

Assemblyman O'Neill:

Could any of that be attributed to awareness, mental health facilities, and suicide hotlines, or are you strictly saying the restriction of firearms has decreased suicides by firearm?

Steve Lindley:

I do not think there is any one piece of the puzzle that is going to solve the problem. I think it is a conglomeration of issues. The first part is for people to admit there is a problem and seek different strategies in order to solve that problem, reduce victimization, reduce suicides, and overall, reduce gun violence in communities.

Assemblyman O'Neill:

Mr. McManus, I may be talking to you offline if I may, please.

John McManus:

Absolutely.

Chairman Yeager:

I would certainly encourage members to ask questions offline. This is the first step in this process. Assemblywoman Jauregui is available, and I am sure the other presenters are available as well. I would certainly invite you to do that. We will continue with questions.

Assemblywoman Marzola:

I think others have made this point. In your amendment, section 2, subsection 1, it says, "A person shall not possess a firearm on a covered premises without the written consent" That is already in statute, is that correct?

Assemblywoman Jauregui:

Mr. McManus, under our property policies, if people are provided with written consent, can they be in possession of a firearm currently?

John McManus:

Under Nevada law, if people have a proper permit, they can carry a weapon onto a property. However, property owners have rights as well, and they can exclude people if they do not follow various rules. Property owners are permitted to establish a rule that firearms and weapons are not permitted on the property. People can be excluded through general rights as a property owner, but to my knowledge, there is nothing in Nevada law that stops people from carrying a legal firearm into a casino environment.

Assemblywoman Jauregui:

Do property owners give written permission? I think that was part of Assemblywoman Marzola's question.

Assemblywoman Marzola:

I can clarify that because I may be reading it wrong. This is definitely a new space for me. *Nevada Revised Statutes* (NRS) 202.3673, section 4(d) states the provisions do not prohibit "A permittee from carrying a concealed firearm while he or she is on the premises of the public building if the permittee has received written permission from the person in control of the public building" The law is already there, correct?

John McManus:

I am not familiar with the provision you just read. Is it a criminal provision?

Assemblywoman Marzola:

It is who is authorized as a concealed carry permit holder. If people are licensed holders of a concealed carry weapon (CCW) permit, do they know the dos and don'ts, such as not carrying a gun to a public school or a public airport, and cannot go onto a premises without written permission? Would CCW holders already know those set of rules?

Assemblywoman Jauregui:

I think it is the responsibility of the people who carry guns to be familiar with the laws of the state, not just those who are licensees, but those who openly carry as well.

Chairman Yeager:

In order to get a CCW in Nevada, a course is required that includes a live training element. There is also a classroom portion of the course, and part of the classroom portion covers where people can and cannot have firearms in Nevada, as well as when they can act in self-defense, which is always a difficult area and very factually specific. That area is covered in CCW courses. I would anticipate, if we were to process this legislation and make changes, the curriculum would be adopted. However, I do remember very clearly that part of the

training is that people have an obligation to be familiar with the laws of the state, not just Nevada but when travelling out of state. That information is available for CCW holders. What they might do after the course and whether they retain that information is another question, but it is typically provided at the time of the course.

Assemblywoman Jauregui:

That is what I was trying to get at. If I have a license, I should already know the rules. I appreciate your input, Chairman Yeager.

Chairman Yeager:

We will continue with more questions.

Assemblywoman Hardy:

My question is regarding the permissions. If CCW holders want to get permission, who would they ask? Would it be a manager? Who keeps the written permission? Is it the individuals or the property owner? Does it have to be done every time they go back to the property?

Assemblywoman Jauregui:

Those seem like appropriate questions to ask and reasonable modifications we can make. What will that company's policy look like? What this legislation does is add a criminal component so properties can rely on law enforcement if someone is criminally trespassing. If we need to add more clarification in the legislation to make members feel more comfortable as to what written notification will look like, we can do that. Assemblywoman Cohen suggested using emails. Will written permission be a single use or multiple use? What those written permissions will look like is something I am willing to work with you on as well.

Assemblywoman Hardy:

Going through the list—a golf course, a movie theater, and shopping malls—a regular citizen would be running around trying to get permission from these properties. I think it could be very confusing. I have one more question. It mentions law enforcement officers and security officers can carry a firearm as part of their official duties in an official capacity. Does that mean if the law enforcement officer is off duty, they would not be able to have their weapon?

Assemblywoman Jauregui:

That is a great clarification. In the current language, it currently states that law enforcement officers acting in an official capacity and any hired armed security guards are exempt. Currently, if they are not acting in an official capacity, they would not be exempt.

I did get some clarification on the NRS section Assemblywoman Marzola referenced. That provision only applies to public buildings, not private buildings.

Chairman Yeager:

At this point, I am going to stop taking questions. I realize there may be more out there, but I do want to invite members to follow up after the hearing. It is important to me that we get through as much testimony as possible on this bill. Given the time, we will take 40 minutes of testimony in support, 40 minutes of testimony in opposition, and 10 minutes of testimony in neutral because we only have two people signed in as neutral. We will then go to concluding remarks.

Before we get to testimony, I just want to remind everyone to limit your remarks to two minutes. That is so we can get through as much testimony as possible. If you are agreeing with things that have been said, it is perfectly fine to indicate that. You do not need to use the entire two minutes. Please keep your comments to the policy that is in the bill. I understand this is an issue folks are passionate about, but we need to make sure we are being respectful of one another. It is my job as Chairman to make sure we have a fair and respectful hearing. All of you can help out in that process today.

I will open the hearing for testimony in support of Assembly Bill 286. I will take testimony from those individuals on Zoom. Mr. Mason, we will take your testimony first.

Todd Mason, Director, Government Affairs, Wynn Resorts, Ltd.:

I only wish to echo the comments Mr. McManus made in support of the bill. I would also like to thank Assemblywoman Jauregui for taking on this issue.

James Sullivan, representing Culinary Workers Union Local 226:

The Culinary Workers Union Local 226 supports A.B. 286 because allowing firearms in our casinos and hotels is a worker safety issue. While the Culinary Union supports legal and responsible gun ownership, we also believe all workers deserve to be protected from gun violence at work, and A.B. 286 will help make that a reality.

Assembly Bill 286 would not discourage or prevent legal gun ownership. Rather, the bill includes commonsense measures that give businesses the option to protect their employees and guests from gun violence in their own facilities.

During the October 1, 2017, mass shooting, thousands of Culinary Union members saw firsthand the effects of gun violence. Five Culinary Union members were injured in the mass shooting, and countless other workers suffered post-traumatic stress disorder (PTSD) after the tragic incident. The Culinary Union wants to ensure that no other hospitality worker ever has to experience that trauma again.

Gun violence on the Las Vegas Strip and downtown could also threaten the economic recovery Nevada desperately needs. On the one-year anniversary of COVID-19, the Culinary Union still has approximately 50 percent of workers unemployed as the state's number one industry. Hospitality was hardest hit during this pandemic. Economic recovery will not be possible without workers getting back to work and being safe while at work. Assembly Bill 286 will protect workers and accelerate Nevada's economic recovery.

Lastly, I would like to say that we fully support Assemblywoman Jauregui's amendment to the bill for trade shows. That is a big part of our support going forward. The Culinary Union urges you to support and pass A.B. 286.

Chelsea Parsons, Vice President, Gun Violence Prevention Policy, Center for American Progress:

I am here today to express our support for A.B. 286 and to urge its swift passage. Nevada has been the site of both tremendous tragedy and significant progress when it comes to gun violence. Las Vegas was the site of the worst mass shooting in modern U.S. history. The state was home to one of the most notorious standoffs between armed, violent extremists and federal law enforcement officers, an event that foreshadowed the recent rise in violent anti-government extremism. Nevada experiences some of the highest rates of gun violence in the nation, with the fourteenth-highest rate of firearm deaths from 2009 to 2018, and has a gun suicide rate that is 60 percent higher than the national average.

However, Nevada has also been a great spot on the map when it comes to enacting strong new gun laws in the wake of tragedy. Assembly Bill 286 will continue to build on this progress and address two significant gaps in state law that continue to leave Nevada communities vulnerable to gun violence.

First, the bill will ban ghost guns—homemade guns that are untraceable and can be acquired without a background check. The easy availability of parts, kits, and online instructions to make guns at home without a background check undermines the law requiring background checks for all gun sales that was enacted by voters just a few years ago. These guns, which are indistinguishable in function from completed firearms that are purchased from gun dealers, are made without serial numbers or other identifying markers. That means they are untraceable if they are used in violent crimes, making it much more difficult for law enforcement to identify perpetrators. Ghost guns are yet another example of the gun industry's innovation to increase its profit at the expense of public safety. Like bump stocks, the dangerous gun accessory that was used in the 1 October shooting, ghost guns pose a risk to Nevada communities and should be banned.

Second, A.B. 286 would give local Nevada businesses and other premises the ability to choose to prohibit guns on their property. This provision is quite simple: it affords the covered premises the freedom to be able to control whether guns may be brought onto the property. It is not a mandate. It creates an opt-in system that leaves the decision solely to the owner of the business. Businesses and other premises across the state have widely different needs and safety concerns and this measure will simply allow them to make their own decision regarding firearms on the premises on an individual basis.

Both of the provisions in this bill are narrowly tailored to address specific public safety concerns and are well within the scope of permissible constitutional regulation of firearms as articulated by Justice Scalia in the *Heller* decision [*District of Columbia v. Heller*, 554 U.S. 570 (2008)].

I want to thank Assemblywoman Jauregui for her leadership on these issues and the members of the Committee for allowing me the opportunity today to express our support for A.B. 286.

Annette Magnus, Executive Director, Battle Born Progress:

Today, I am here as a proud second-generation native Nevadan, a gun owner, and to represent the 20,000 subscribers to our Battle Born Progress network statewide. We have been consistent on this issue. Better gun laws are needed for the state of Nevada, and today, you heard the facts that back that up. That is why we support A.B. 286, and we thank the Assemblywoman for her continued courage and leadership on this issue.

So much has happened since the last time I testified on a bill like this. A year ago today, I was feeding people out of my garage and watching a global pandemic sweep through our communities. Today, what we have seen because of that pandemic and the political discourse is that panic buying of weapons all across this country and right here in Nevada is out of control.

Nevada is also, tragically, the site of the worst mass shooting in modern history. With this bill, we can finally address that shooting in a real way. The very least we can do is allow businesses and other places in our community to opt in if they do not want guns on their property. We have seen countless incidents on the Strip, including one at the Fashion Show Mall the day the SHOT Show started across the street. What message does that send to people who are visiting our state?

This bill will also stop the proliferation of ghost guns, a troubling new trend among violent extremists and those who seek to skirt other gun safety laws—that we have worked hard to help pass in Nevada—or simply traffic guns in our community. Assembling unfinished gun parts without serial numbers allows for untraceable deadly weapons to end up in the hands of those who should not have them.

Today, you will hear arguments that this somehow takes away the rights of gun owners. As a gun owner, I reject that. These are deeply flawed arguments. Supporting better gun laws makes me a better gun owner. I did not buy my gun from a shady Internet company. I went to a local gun store and I passed a background check. If you follow the rules, this bill will not impact you at all. As a gun owner, I make it a priority to know the laws of this state and follow them. My homeowners' association has a sign on the door that states I am not allowed to take my gun inside. Therefore, I do not take my gun inside. It is that simple.

There is overwhelming support for these policies in Nevada and across the country, as polling has consistently shown us. Nevadans want and expect you all to enact stronger gun laws during this session, and we are asking all of you in this body to support this critical bill today.

Chairman Yeager:

I do not see any additional testimony in support on Zoom. Are there any callers on the phone line who wish to make testimony in support of A.B. 286?

Elizabeth Becker, Volunteer, Nevada Chapter, Moms Demand Action for Gun Sense in America:

I would first like to thank Assemblywoman Jauregui for bringing the Keep Nevada Safe bill to the Legislature. After the devastation visited upon our community in October 2017, this legislative body passed the background check law and extreme risk protection orders during the 80th Session to keep us all safer and to keep guns out of the hands of those intending to harm themselves or others.

In the past few years, a grave new threat has emerged: the proliferation of so-called ghost guns. These weapons have no serial numbers and cannot be traced by law enforcement. They skirt background check laws by purporting to be unfinished. Purchasers can buy parts for the guns online and assemble them at home with no background check needed.

Just three months ago, the ATF raided Polymer80, located just outside where you sit in Carson City, for knowingly selling weapons without background checks, among several other charges. States across the country have discovered weapons at crime scenes and traced them back to Nevada. In California, the ATF states that more than 30 percent of guns recovered from crime scenes are ghost guns, and that number is rising rapidly.

Assembly Bill 286 addresses the problem of ghost guns head-on. I have been a member of Moms Demand Action for Gun Sense in America for almost seven years. I know that no one law will ever prevent all gun crime and the unnecessary and crippling suffering it brings to families. But I do know this: giving up and allowing bad actors to obtain weapons more easily than registering a vehicle is not an option. We must stop arming those who wish to harm us, and A.B. 286 is a step in the right direction. I urge your support for its passage. [Written testimony was also submitted, [Exhibit E.](#)]

Karl Catarata, Private Citizen, Las Vegas, Nevada:

I am a survivor of gun violence and live in Nevada. In June 2014, my family and I survived a shooting that killed two brave LVMPD officers at a local Las Vegas Cicis Pizza right before they killed another civilian at a local Walmart. I pulled my mom and brother out of that Walmart before they started opening fire. Many Nevadans remember that day, and many Nevadans think about their safety when it comes to visiting their favorite businesses.

While I am a survivor of gun violence, I come from a family of responsible gun owners. When it comes to responsible gun ownership, I was taught two things: buy responsibly, not by constructing a ghost gun; and use only when it is the dire, last resort of protection to stand your ground. While we all may have different viewpoints on guns, I think we can all come to common ground and agreement that we all want Nevada to be a safe place to live. That is where A.B. 286 comes in. Whether that is visiting a store, a restaurant, or a local Walmart to buy groceries, from where I see it, we all want to create a Nevada that empowers business owners to create a space where customers feel safe to do business. This bill allows that. I hope when you vote for the bill, you think deeply and intentionally about the lives it will

impact years from now: survivors of gun violence like me, victims of domestic abuse, veterans, and those living with PTSD. Thank you so much for your time and consideration and for listening to Nevadans who have survived gun violence and get to live another day to share their experience. [Written testimony was also submitted, [Exhibit F](#)].

Kristee Watson, Private Citizen, Las Vegas, Nevada:

I am a mom, a gun owner, and a member of Moms Demand Action for Gun Sense in America. The increased presence of ghost guns in Nevada allows prohibited buyers access to firearms after it has already been determined they cannot be trusted with a weapon with the sole purpose of taking a life.

The people of Nevada overwhelmingly support the background check law, so allowing ghost guns in Nevada is careless. A ghost gun ban is a logical step to protect my family, my neighbors, and those coming to visit our wonderful state.

To that end, protecting our number one economic driver must be top of mind, particularly after we have experienced such a difficult year finding revenue to meet Nevada's budget. In addition, most of us know a survivor of the deadliest mass shooting in modern history that occurred right here in our beloved state. For those reasons, casinos and other entertainment venues would welcome clarification for how to enforce the prohibition of firearms where private businesses see fit. This is a free market response that allows a private business to protect its revenue, employees, and valued guests from loss.

In closing, I would like to thank Assemblywoman Jauregui for her brave, bold advocacy as a gun violence survivor. You know better than most that this legislation has the power to offer lifesaving solutions. I urge respective members of this Committee to vote in favor of moving [A.B. 286](#) out of committee.

Kimi Cole, Private Citizen, Carson City, Nevada:

I am a gun owner and I am calling in support of [A.B. 286](#) because this bill will help keep Nevada safe. The new phenomena of ghost guns—guns that are unregistered, unlicensed, untraceable, and dangerous—has to stop. Many of the online retailers who offer these guns have reported that the increasing demand has led them to be sold out. These guns are cheap and easy to get and can fall into the wrong hands way too easily. We must ensure that our communities are safe. Gun ownership should be responsible and up-front, not something that exists in a back room without any checks and balances.

In addition, [A.B. 286](#) allows businesses to opt in to prohibit firearms at their venues. Businesses should feel empowered to choose whether or not they allow firearms at their facilities. This is undoubtedly one of the best ways to keep Nevada safe. This is also a measure that can prevent more mass shootings in our state. We want people to travel to Nevada. In fact, we need people to travel to Nevada, as our state is dependent on tourism. Keeping Nevada safe is a guaranteed way of promoting more tourism. Gun violence is an epidemic across our nation, but Nevada has the opportunity to be a leader in fair, smart, and impactful legislation that protects our residents and businesses. I urge you to pass [A.B. 286](#).

Fahima Khalaf, Private Citizen, Las Vegas, Nevada:

I am calling in support of A.B. 286. As small business owners, we are constantly seeing the effects of tourism or the lack of tourism in our state. State gun laws would definitely help us increase tourism. We saw the effects after 1 October of what happened to the decline in our businesses. We also ask and request our state Legislature to keep our team members safe, our businesses safe, and our families safe by enacting safety-first gun laws.

Leonard B. Jackson, Executive Director, Faith Organizing Alliance:

Being a retired military person, I am very familiar with firearms and the devastation they can cause. I stand in full support of A.B. 286, for we realize that only those who are looking to bypass the law or trying to avoid background checks are searching for illegal firearms. Those are the only ones I can see or realize would need to go to ghost guns. We have an obligation to our community. That obligation to the community is to provide a safe community for those who are visiting, those living here, and those who are physically here. I stress fully, 199 percent, to this Committee, please pass A.B. 286 for our safety and the safety of our future. Thank you for taking this step forward. Be blessed.

Emily Woodall, Private Citizen, Las Vegas, Nevada:

I am testifying today in support of A.B. 286, and I am testifying as a gun owner. The first time I discharged my weapon and felt the full power of my gun, I gained a deep appreciation for the weight of responsibility that I carry as a gun owner. As a child in school, I grew up in a post-Columbine High School world where the threat of gun violence was and is real. As an adult, I watched the horror as fellow Nevadans were gunned down right on the Strip on 1 October.

As a gun owner, I abide by all safety precautions when I store and use my weapon, but it is clear that all too often that is not the case, and too many lives have been lost because of it. I also know that being able to make my own weapons at home as a ghost gun or to carry my gun in businesses that would prefer me not to does little to protect me against bad actors. As weapons become more advanced and easier to make at home, we must also adapt our laws to these changing situations because our responsibility for our fellow Nevadans as gun owners only deepens. I am here today to urge you to support A.B. 286, which will help keep Nevada safe.

Susan Proffitt, Private Citizen, Las Vegas, Nevada:

I am a gun owner. I am a rape survivor. I was raped in a Marriott Hotel when I was travelling on business in 1994. I never travel without a gun. If you make it illegal for me to be able to protect myself from criminals, you have made me a criminal.

Chairman Yeager:

We are taking testimony in favor of the bill. If you want to offer opposition testimony, we are not quite there yet.

Susan Proffitt:

I am for the bill if you want to know where the guns are, but I am not for you making it illegal for me to be able to have a gun. That is against the *U.S. Constitution* and I am not taking it. Not from you, not from anybody.

Chairman Yeager:

We will continue with testimony in support.

Marissa Morano, Volunteer, Moms Demand Action for Gun Sense in America:

As a survivor of 1 October, the deadliest mass shooting in modern American history, I not only support, but I am filled with gratitude for A.B. 286. Since October 1, 2017, I have experienced extreme hypervigilance to loud noises, and I am extremely aware of my surroundings. Everywhere I go, I must identify the nearest exit and create an escape plan in my head.

A few months ago, I was grocery shopping at Smith's Food and Drug. I was looking at the vitamins when a woman walked by with a big, black gun attached to her hip. I froze. I became dizzy. I struggled to breathe. I wanted to run, but I could not. I wanted to cry, but I could not. I just could not do anything but be frozen. I knew what was happening. I was having a panic attack. I wanted it to stop, but it did not. I got angry. I could not find my child or my partner. I stood there waiting for her to leave, spinning, and trying to take deep breaths. I wanted it to stop. When will she shoot—bullets, bam bam—these words raced through my mind as I stood frozen. I thought I was getting better, but this is my reality—the reality that this will happen no matter how strong I get until we pass legislation that makes it safe to be at grocery stores.

Assembly Bill 286 will support my safety and my community's safety. That woman will never know the effects of what happened to me that day, but I will. You may not understand the effects of what my life is like as a survivor of gun violence, but my children, friends, and family understand. They, too, want to be safe from guns at a grocery store.

Please pass A.B. 286 so this can be the last of the many instances of my world spinning. Assembly Bill 286 will protect us all and will ensure that law enforcement has the tools they need to enforce this law. Thank you for your time and safety in our community.

Elaine Sanchez, Private Citizen, Las Vegas, Nevada:

I am in support of A.B. 286, which I believe will make our communities and businesses stronger. As economic tourism is our lifeblood, we must create protocols that allow for a more secure environment. This legislation empowers businesses, places of worship, and untold other businesses to create a higher standard of safety. It allows flexibility and gives business owners the choice, the right, to decide how they want to conduct business. It is simply an opportunity for a business to decide what it must do for itself.

To allow business owners to opt in is to provide a higher standard of safety for employees, community members, and the business itself. It also helps connect a relationship with the LVMPD or any police department that needs to assist a business owner should something go awry. There is absolutely nothing wrong with allowing the business community to make a choice for its own good. This legislation is preventative.

All these measures are preventative. They do not disallow a person from gaining a gun or wanting to have a gun, but it does provide more security for our state. As we all know, unfortunately, due to the pandemic and because we have seen gun violence in our community beforehand, we are in need of preventative measures.

Regarding ghost guns, I also want to say it is important to understand that a gun receiver is part of the firearm that houses the mechanical component and projects the bullet. Someone using a finished receiver could assemble a functioning firearm by adding necessary additional parts, such as the stock, barrel, trigger component, and magazine. Individuals interested in avoiding the background check and gun registration process can, instead, buy an unfinished receiver, also known as "80 percent blank" or "partial receiver," to make a ghost gun. Why would we, as a state, allow that to occur? Who are the individuals who would want to purchase a gun but not go through a background check? I think this measure is absolutely common sense. I believe it is important to realize that unregulated receivers can be converted into working firearms by someone with very basic skills and tools. It is important to know who those people are if they are purchasing guns. It is important to go through the background check. I am in full support of A.B. 286 as a preventative measure. I believe a business should make its own decision. I also believe it is important to go through the process correctly when trying to purchase a gun. I want to thank the Assembly Committee on Judiciary and Assemblywoman Jauregui for all her hard work in this matter. I fully support this bill as a mother, as a wife, as a daughter, and as a business owner.

Teresa Crawford, Volunteer, Nevada Chapter, Moms Demand Action for Gun Sense in America:

I want to thank Assemblywoman Jauregui for all the wonderful work she has done to help keep Nevada safe in the last Legislature and with this bill, and for the presenters for strong and clear evidence-based analyses of the two components of this bill. I also want to recognize the mass shooting yesterday. Eight people died—seven women, six Asian Americans. They died senselessly. This is the third mass shooting in the nation this year. We are always thinking about October 1, 2017. Since then, this country has continued to see gun violence that affects employees, tourists, and locals, and it always makes national news.

Currently, rules for business owners to prohibit guns on their property are unclear and lack teeth. There is even a chart I have seen—a reporter posted it yesterday—that actually encourages gun carriers to ignore the "no firearms" signs at private businesses because, at most, there will be a trespassing charge and not any kind of weapons violation.

Section 2 of this bill codifies firearm prohibition rules for all venues and businesses and gives law enforcement officers the means to enforce them. As pandemic restrictions ease, Nevadans, including seniors and families with children, look forward to shopping, dining out, and attending movies, concerts, and church in safety. From mom-and-pop pizzerias to resort properties, this bill empowers business owners to offer firearm-prohibited premises to their customers. Hotels and motels may just provide a document with language or anything they want to do that goes beyond a simple sign to communicate with their guests. As we have heard from the resort officials, they are quite happy to provide a safe way to lock and store firearms.

The bill also covers hotel guests who purchase guns at trade shows. They just have to bring them unloaded in a bag and notify the hotel management. This bill empowers private businesses to make all of us safe, bans a source of crime guns that are flowing from Nevada to other states, and continues the good work done for gun safety in the past Legislature. It is a uniquely Nevada solution that provides choice for businesses and consumers alike. Please vote yes on [A.B. 286](#). [Written testimony was also submitted [Exhibit G](#).]

Christiane Brown, Private Citizen, Reno, Nevada:

I am with Brady Nevada. I am so grateful to Assemblywoman Jauregui, and I want to thank her for sponsoring this important bill. Ghost guns pose a serious threat to the safety of all Nevadans. There is no constitutional law that exists now or ever has existed that allows anyone's right to freedom to come at the cost of another's right to safety. The unregulated use of ghost guns is one of the most urgent safety issues facing our state. These guns represent a rapidly expanding category of handmade firearms that are untraceable, not subject to background checks, and are seriously undermining the gun safety laws that exist in our state. Ghost guns have become a go-to favorite of a large class of criminals, like domestic abusers, drug traffickers, and violent white supremacists. They are also being purchased and used by children who are too young to legally buy firearms.

Dangerous do-it-yourself ghost gun kits supply everything a purchaser needs to build a fully functional and deadly firearm that is untraceable and leaves law enforcement without the critical evidence they need to do their jobs. Make no mistake, ghost guns are not a creative hobby for do-it-yourself crafters. They are deadly weapons that look, feel, shoot, and kill exactly like traditional firearms. Therefore, they must be regulated as such.

The ghost gun manufacturers and owners will tell us that ghost guns are not real firearms simply because they come unassembled. This is absurd. Ghost gun manufacturers are enabling their clients to build untraceable firearms that are subject to no laws. People who want ghost guns to remain legal are people who demand rights without responsibility. Responsible gun owners do not need untraceable weapons. Responsible gun owners register their firearms legally. Responsible gun owners purchase their weapons from licensed sellers.

Assembly Bill 286 closes a dangerous loophole ghost gun manufacturers have created, and their owners have taken advantage of. It is time for Nevada to join several states and immediately pass [A.B. 286](#) to ban unregistered ghost guns and their parts.

Margy Feldman, Member, Sun City Anthem Democratic Club, Henderson, Nevada:

I live in the safe city of Henderson in the beautiful and safe community of Sun City Anthem, where I am representing the Sun City Anthem Democratic Club, which is the largest Democratic club in the state. We are in strong support of A.B. 286. Most of my friends and neighbors picked Henderson, Nevada, because of it being a safe place to live and play with close proximity to the Strip. Obviously, that environment has changed, especially since 1 October and with the increased crime on the Strip this summer. At the same time, we have all seen hate crimes increasing dramatically over the last years with drastic increases in 2020 alone.

For all of these reasons, and the desire to have visitors and tourism restored in our state, we strongly support and appreciate everyone's support of A.B. 286.

[[Exhibit H](#), [Exhibit I](#), [Exhibit J](#), and [Exhibit K](#) were also submitted in support of Assembly Bill 286.]

Chairman Yeager:

We have now taken 40 minutes of testimony in support. As advertised, I am going to close testimony in support at this time, recognizing that there are still individuals on the phone line who would like to provide supportive testimony. To you all, I apologize, and I ask you to please provide your comments in writing or email. I know you know how to do that because we have been getting a lot of those emails already. Thank you for being part of this process.

At this time, I am going to open testimony in opposition. Much like we did for support, we have some individuals with us on Zoom. I am going to start with Zoom. Mr. Reid, if you are there, could you please unmute and provide your testimony in opposition.

Daniel Reid, Western Regional Director, National Rifle Association of America Institute for Legislative Action:

I am here on behalf of our Nevada National Rifle Association of America (NRA) members in strong opposition to A.B. 286. I will do my best to stick to our short time frame here on this very complicated bill. There is a lot to unpack, and as you heard, there are a ton of questions surrounding how this bill actually works. I will try to go through each section as briefly as possible.

Looking at section 2 regarding this ban on covered premises, as was clearly stated, private property owners do have the ability under existing law to set their own policies. If someone is trespassing, they have the ability to remove them and to contact law enforcement. They already have this authority now. We have heard from the proponents of this bill that this is actually adding teeth. What you are actually hearing is, we are wanting to have law enforcement take their finite amount of resources to respond to nonviolent calls. A lot of this seems to be targeted at Nevada's more than 143,000 concealed carry permit holders. These are people who have been licensed, trained, gone through background checks, and are authorized by their county sheriff, not to mention the other 27 states whose permits we recognize. Concealed carry permit holders are among the most law-abiding people in this

country, and it is a shame that they are going to have to go out and plot out their course for any day running errands to try to navigate who they have permission from, whether they are going to run into a sporting goods store, the shopping mall, or perhaps they are having lunch at a certain hotel restaurant, et cetera. That is really disappointing.

As far as this bill and the teeth, it actually goes beyond that and it starts to get into people's homes when we look at how they can actually carry and how it is limited to a residential unit owner. If these permit holders are part of a golf course community where they own a residential unit, they can only have the gun in their house. Imagine these permit-holding residential unit owners wanting to walk their dogs at night and cruise through the golf course. That is prohibited under this law. They could be facing criminal consequences. What about renters who may be renting back from residential unit owners? I do not see how the exceptions work for them. What about owners who want to do their laundry in a common area at night? That is prohibited under this bill.

I believe I heard one of the hotel representatives talking about taking possession of patrons' guns. I do want to refer back to our background check law regarding private transfers. I believe that is actually prohibited, and that should be clarified because the hotel employee could be in violation of the law if they are actually taking people's guns without intervening a licensed dealer. I do not believe that is a covered exemption.

In sections 3 through 5, which we have heard about regarding the unfinished frames and receivers, this is a longstanding American tradition. People have been making their own firearms for personal use since before the Revolutionary War. This is completely legal for personal use. If you start getting into selling them, then you need to be a licensed seller.

We heard a lot about these kits, but there are also other firearms out there that people have made before the kits. They have been doing this for a long time. How are these firearms going to be treated under this law? Are Nevadans going to be able to continue to possess these, or are they going to face criminal penalties? There are a lot of issues with that. Also, there are firearms that do not require serial numbers. I want you to think about this. The first offense under this bill is a gross misdemeanor. The second offense is a felony. Imagine you have a grandparent who has a gun collection and one of the traditions for passing on these family heirlooms is to gift a firearm in accordance with state law and interfamilial transfer when a grandchild becomes of age. A couple of these firearms do not have serial numbers because they are not required to because they are pre-1968. Is this grandparent going to run into an issue of possibly facing felony charges because he gifted one rifle to a grandchild on one day, and another several months later to another grandchild? Are these grandchildren going to be facing gross misdemeanors themselves? Perhaps one of these grandchildren lives out of state where it is totally fine, but his cousin is now facing criminal charges.

There is a lot to unpack here. I know my time is limited. I will stand for any questions. I think there is a lot that could be cleared up on this. We are in strong opposition. We encourage this Committee to focus on criminal misuse. If you are a prohibited person, you cannot possess a firearm, whether you made it at home or not. That is illegal under law.

If you think about when law enforcement is going to discover a violation, it is when they go after bad actors regardless of where the firearm came from. If it is in their possession, it is a felony and we should prosecute them as such. With that, we are in opposition. [Written testimony was also submitted [Exhibit L.](#)]

Chairman Yeager:

Thank you, Mr. Reid. I did give you a little more time. We do not have a lot of time for questions, so what I am going to do for those in opposition on Zoom is to take one question for each. Members, I know you are going to have more, but I want to get to the phone lines to take opposition testimony as well. There is a question from Assemblyman Wheeler to Mr. Reid.

Assemblyman Wheeler:

Mr. Reid, I know you are an attorney well versed in gun law, which is why I ask you this question. Someone living in an apartment obviously does not own that building. The way I read this bill, the owner of the building has to give permission. If I live in an apartment in Douglas County and want to bring my gun into my home, do I have to get written permission from my landlord?

Daniel Reid:

I appreciate that question. Depending on how you read this bill—obviously there was an amendment posted [[Exhibit C](#)] just prior to the hearing, at least for the public, that we are still trying to digest—I think there are arguments that may say it is unclear how property owners and gun owners would go about doing this. There is a lot of analysis that goes into this bill. That is really the shame with this. It becomes very unclear for our law-abiding citizens on how they are supposed to be able to exercise their inherent right to self-defense in Nevada and comply with the laws. This could be a massive patchwork throughout the state of dodging private property and how this looks when speaking of parking lots. When would citizens actually discover that the premises prohibit firearms? Not to mention that there are no requirements on these private properties to provide any sort of security measures to keep out bad actors. There is no requirement for metal detectors or for security forces. I know some of the hotels obviously have extensive measures put into place, but there is no guarantee. If someone is rendered defenseless and an incident does happen because of that factor, there is really no liability protection and no real way to exercise that right to self-defense and be the first line to their own defense.

Chairman Yeager:

I will remind members of the Committee and members of the public who are listening that this is indeed the first step of a process. A bill has to go through a lot of hoops before being signed into law. I do not want to give anyone the impression that somehow this is going to be the final opportunity to comment or work on this piece of legislation. Indeed, this is the beginning of a process and not the end.

I am going to take testimony in opposition next from Mr. Findlay, who is on Zoom.

Michael Findlay, representing National Shooting Sports Foundation, Inc.:

The National Shooting Sports Foundation, Inc. is the trade association for most firearm manufacturers, retailers, and ranges throughout the country. In Nevada, we have hosted and own the SHOT Show, which many of you are aware of. I would like to speak to you a little bit about our SHOT Show today and how this bill may potentially have unintended consequences for our show, our attendees, and our vendors.

We have had the SHOT Show consecutively every year in Las Vegas since 2010, except for this past year because of COVID-19. Our show brings in roughly 70,000 people per year. We do over \$130 million in direct economic benefit to the Nevada economy every year. We were only given the bill 24 hours in advance, along with the public, and we have not been able to digest the 20-page amendment that was given to you all this morning. The way the bill is written has a lot of unintended consequences for our show and, essentially, would be a logistical nightmare for our folks. I want to go over some examples of why it would be.

In terms of lodging and off-site events, we simply cannot house 70,000 people plus their family members in one location. Our attendees take almost every bed in Clark County for the SHOT Show. This includes Airbnbs, the Marriott, Days Inn, the Sands properties, MGM properties, and Caesar properties. With that diversity in lodging, our folks would have to obtain written permission from each owner or operator from every location when they are coming into town.

In addition to that, there was a comment about inoperable firearms, and yes, our show does display inoperable firearms that people can touch and look at in the displayed products. Something we also do in conjunction with our manufacturers as well as law enforcement, and we do have military days, is we have a range day where there are live-fire exercises for our products. In those instances, there are real questions of whether the exemption for trade shows would work for us because we are transporting from a safe location—from safes on these premises—to ranges and back. It is not just one day, but it is throughout the entire week that we have live-fire exercises and demonstrations going on. In addition to that, a lot of our folks rent condominiums or houses. A property management company, as this bill is written, does not constitute the owner. There would be real questions whether or not they would be able to approve the written consent that is required by this bill to have our products there.

As I have said, we have had this show for over 10 years, we have longstanding relationships, we love Las Vegas, and our folks who attend the show are very comfortable in Las Vegas. They have a plan set and are excited to come back next year, but if suddenly they show up and things have changed, like restaurants and lodging locations having signs posted—because most of our attendees are from out of state and out of the country—there are real questions as to what they do in that situation. For instance, the way this bill is written, we transport through semitrucks into Las Vegas. If the drivers were just to stop and get gas and the gas station had a sign posted, they could potentially be a criminal under this law because they drove into the parking lot with a semitruck full of products they intend to show at the SHOT Show.

Those are just a couple of the unintended consequences. I also want to talk about part two of the bill, which would affect the SHOT Show as well. There is not a definition under this language. This is a highly technical issue, and I believe it was not gone through by the supporters of this bill accurately. I will give you an example. Under this bill, there is not a clear definition of when that frame or receiver becomes a firearm. What determines that? Is it a cosmetic function; is it intent? At what point would a manufacturer or retailer need to comply with or treat that hunk of metal as a firearm? These questions are unclear. Through the manufacturing process, there are times when manufacturers will give the product to another contractor to do things like paint jobs. Do those contractors now have to be a Federal Firearms Licensed (FFL) dealer because that hunk of metal they are painting prior to going to a factory to become a firearm is now considered a firearm under Nevada law? This is very inconsistent with federal law. Our industry follows federal and all state laws and is in complete compliance, but this bill would cause a rift between Nevada law and federal law.

I know I am running out of time, but I would implore the Committee to really do another hearing or learn more about the technical aspects of part two of the bill. This is a very complicated aspect. I will leave you with this: the SHOT Show is very excited to come back. We had to take a one-year hiatus because of COVID-19, but we are excited to come back to Las Vegas, and we are excited to be part of the continued growth and economic prosperity that we are all clamoring for around the country, especially in Clark County. We want to be there. This bill would be a logistical nightmare for us, and I do not know how our folks would feel, this being the world-class customer service attitude, tourism economy that Nevada is. I do not think they would be very excited or receptive to a bill where they would have to jump through numerous hoops and a lot of red tape. I have a lot more to say to this, but I know I am out of time. I just want to repeat, this would be a logistical nightmare for us and there are a lot of unintended consequences.

Chairman Yeager:

Assemblywoman Bilbray-Axelrod has one question for you, Mr. Findlay.

Assemblywoman Bilbray-Axelrod:

I am glad you are here today because I do have a question specifically about the SHOT Show in 2019, which was the last one before the pandemic. I remember reading an article that about 65 firearms, silencers, and machine guns were stolen. This was before the pandemic and before what we have seen now on the Strip. I am curious, what role do you think the SHOT Show should have in keeping guns out of the hands of the wrong people?

Michael Findlay:

We are unequivocally against unauthorized access to any firearms. We do not just say that; we put our money where our mouth is. We have invested in programs such as Project Childsafe, which gives free locks to law enforcement all over the country to distribute to communities. Thus far, since its inception 20 years ago, we have given 25 million locks away. We do educational programs at SHOT Show and ongoing throughout the year that are

designed to prevent unauthorized access to firearms, such as straw purchasing. The National Shooting Sports Foundation has a program called "Don't Lie for the Other Guy." It is designed for retailers to identify people who come in—and there are telltale signs—trying to purchase firearms for others. We have a litany of other programs.

I want to speak directly to that issue, though. Another unintended consequence of this bill is, when you look at the data throughout the country—and respectfully, I am going to disagree with Mr. Lindley because his statistics are wrong—but in citing some Centers for Disease Control and Prevention (CDC) statistics, since California has put their laws in place from 2014 to 2019, according to CDC data and all the laws that have come into place, he is technically right. Violent crime has dropped from 2,945 deaths in California in 2014, to 2,942 in 2019, the last date for which we have data. There is a three-death difference.

You spoke directly to suicide prevention. We have a program with the American Foundation for Suicide Prevention that has gone into place, and we have seen suicides plateau. They are not where we want and they need to get lower, but we are working on that.

The final point I will make is, if a sign is posted, if law-abiding citizens, retailers, or vendors find out a sign is posted, they have little recourse but to leave a firearm in their car. What we have shown is that criminals get guns primarily from theft from consumers and not from firearm retailers. We are potentially setting up a situation where we are increasing the number of firearms that we know criminals get through theft.

In terms of our situation at SHOT Show, all the firearms were recovered. They were inoperable, as we did not have the components required for them to be operable. They were recovered within three to five days. We work with ATF all over the country. We offer rewards for the theft of firearms from FFLs, often matching their reward upwards of \$50,000, usually in the \$5,000 to \$10,000 range depending on the case. I hope I have answered your question, Assemblywoman. I can follow up with you if you want to talk more about that.

Chairman Yeager:

I would invite members to follow up offline on some of those points. Mr. Findlay, I would invite continued dialogue with the bill sponsor about some of the concerns you raised. Again, this is the beginning of the process, not the end of the process. We are still taking opposition testimony. Next will be Mr. Piro.

John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office; and representing Washoe County Public Defender's Office:

I would like to thank Assemblywoman Jauregui for always working hard to keep Nevadans safe and for bringing this bill forward. We have a few issues regarding this bill, and we are hopeful that we can work these issues out to move us out of opposition. Our first issue is in section 2, subsection 1. Mr. McManus stated that the goal of this bill is to catch people who

knowingly violate the law. What we are asking is if we can put the word "knowingly" in that first sentence, "A person shall not knowingly possess" We think that will add an intent element that will get rid of people who are making simple mistakes from becoming criminals.

We do have an issue that both Assemblywomen Cohen and Hardy mentioned regarding the definition of "covered premises." We are hopeful we can work that out and tweak some of the language. Hypothetically, if people were to travel from California to Nevada and get to the hotel, they cannot have the gun in the parking garage or the hotel. What are lawful gun owners to do to make sure they do not become a criminal? They would have to park in a less safe area. What we have seen here in Clark County is there are a lot of gun thefts that happen from automobiles. We need to work on a fix with the language of covered premises so lawful people are not becoming criminals or parking their cars in less safe areas with their firearms inside.

The last thing we have an issue with is the penalty scheme throughout the bill. In the beginning of the bill in section 2, the penalty scheme goes from first offense misdemeanor, second offense gross misdemeanor, third and subsequent offenses category D felony. We would ask if perhaps we could move it to a category E felony, which would provide diversion and stop collateral consequences, and if we could create that penalty scheme throughout the bill. The rest of the bill jumps from first offense gross misdemeanor to second offense felony. What we are asking is to change the penalty scheme. We are hoping we can work with the bill sponsor. Assemblywoman Jauregui is always easy to work with and listens to feedback. We thank her for that so we can move out of the position of opposition. We do support the goals and aims of this bill to keep Nevadans safer.

Chairman Yeager:

We have Assemblyman Ellison on Zoom to testify in opposition.

Assemblyman John Ellison, Assembly District No. 33:

Thank you for allowing me to speak to this bill. I have a couple of questions and am testifying in opposition. There are some areas of the bill I am concerned with. Some people feel more comfortable going into churches now because they know most of the people in the church are carrying. As an example, I cannot count how many pastors I have assisted in getting their CCW so they are able to carry concealed weapons inside churches. People who go to the movies now feel more comfortable if they do have a CCW. This law will prohibit that. I am hoping we can make amendments to some of these issues.

My family and I go to Las Vegas to the outlet malls. There is one store in the outlet mall that has posted, "No guns allowed." We do not go in that store at all. Under this bill, would that mean the entire mall prohibits guns because one business posted? In the bill, malls would have to post at every door. Does that mean every store is going to be liable because it took my constitutional rights away to protect myself and my family? I hope someone can answer that question.

Chairman Yeager:

We typically do not take questions from those testifying in opposition. The good news is, of course, you are here in the building and I invite you to connect with Assemblywoman Jauregui on your questions. I appreciate your providing testimony this morning.

Assemblyman Ellison:

I did try to meet with Assemblywoman Jauregui, but we are both pretty busy. I would like to make an appointment for a meeting so I can get some of my questions answered. I appreciate your allowing me to speak.

Chairman Yeager:

I see no one else testifying by Zoom, so we will go to the phone lines and hear testimony from callers in opposition to the bill. As a reminder, you will have two minutes to provide opposition testimony. Please, do not feel compelled to use the entire two minutes so we can get through as many callers as possible.

Adam McGuire, Private Citizen, Stagecoach, Nevada:

I have been a Nevada resident for half my life. I was originally a resident of California. As a resident of Nevada, I served the country in the Navy. Since the age of 21, I have been a CCW holder. While I was stationed in New Hampshire, New Hampshire did not recognize my CCW permit from Nevada. One night, while walking my dog, I was approached by an individual brandishing a knife. He did not speak to me, but kept approaching me until I bluffed that I had a firearm. However, I was lucky. There are other individuals in Nevada who have had situations where they had to leave their firearms because of where they were attending.

I am speaking of the story of Amanda Collins. Amanda Collins attended the University of Nevada, Reno. She had to leave her firearm off her person while she was attending a late-night course. On the way back to her vehicle, she was stopped by a man who proceeded to rape her. She was unable to defend herself. Later, there was another woman who went missing. Unfortunately, she was found dead. It was later connected that both individuals were attacked by the same man. Those were two extremely unlucky situations, especially Amanda Collins, who had the right to carry her firearm but was unable to exercise the right because of the restrictions at the location where she was attending.

I do thank Assemblywoman Jauregui for clarifying NRS 202.3673 and the definition of a public building. I would suggest either separate open carry versus concealed carry or, in some way, have it where after an individual is approached, it then becomes criminal trespass and potentially has the first misdemeanor.

Lynn Chapman, State Vice President, Nevada Families for Freedom:

I want to make a few comments. I noticed that most of the people testifying in support were from Las Vegas, and I understand why. There was a terrible incident that happened in Las Vegas. The rest of the state really does not like this bill. It is not a very good bill for everyone.

I also want to talk to the woman in the grocery store who testified earlier. My heart goes out to her because I understand the terrifying incident that happened, and that she is still suffering the residue from that terrible incident. However, if she could look at it from a different perspective; the woman in the store with the gun on her hip was there doing her business. She was not waving the gun around. If a man came in wielding a machete, at least that woman would be able to protect herself, her family, and the other woman. If she looks at it a little differently, it might help her in the future to understand why people want to carry.

I also noticed that we are not talking about the borders being wide open. We are having a lot of people come over our borders every day, hundreds and thousands in a week. The problem with that is the other day it was on the news that four known terrorists were apprehended. How many other terrorists have gotten over our borders? What kind of weapons are they bringing in? What other things are they bringing in? What about the cartels that are now operating on our side of the border? They are bringing in all sorts of weapons and terrible things. Maybe we should start looking more at that instead of going after the law-abiding citizens. I think that is where the problem lies. You are going after law-abiding citizens to jump through more hoops. We really do not need them to do that.

Janine Hansen, State Chair, Independent American Party of Nevada:

I have had a CCW permit for over 25 years. We oppose A.B. 286, which is a violation of our rights and nullifies our God-given inalienable rights. When you cannot exercise a right anywhere except in your own home, when the right to keep and bear arms is so infringed that you cannot exercise it, there is no right.

In the *Nevada Constitution*, Article 1, Section 1, it states, "All men are by Nature free and equal and have certain inalienable rights among which are those of enjoying and defending life and liberty; Acquiring, Possessing and Protecting property and pursuing and obtaining safety and happiness[.]" Assembly Bill 286 takes away our inalienable right to defend life and liberty and to obtain safety and happiness by severely restricting the right to carry a firearm. Almost everywhere we go, that right, which according to the Second Amendment in the *U.S. Constitution* "shall not be infringed" just disappears because of A.B. 286.

In Article 1, Section 11 of the *Nevada Constitution*, it states, "Every citizen has the right to keep and bear arms for security and defense" Assembly Bill 286 violates that provision of the *Nevada Constitution* when you cannot exercise the right to keep and bear arms at a golf course, theater, church, hotel, shopping mall, stadium arena, concert, showroom, anywhere there is live entertainment, a sporting event, rodeo, ballgame, fireworks event, state or county fair, horse or car race. All those places become gun-free zones, which makes all of the law-abiding citizens targets of criminals. Assembly Bill 286 denies us safety and the right to self-defense. The criminals will know that there is no one there who can stop them from killing law-abiding citizens. Assembly Bill 286 will not make us safer, but more vulnerable to those who unlawfully continue to use guns. We all know criminals prefer unarmed victims. Defeat this bill.

Mory Rezai, Private Citizen, Las Vegas, Nevada:

I have been a citizen of Las Vegas, Nevada, for the last five years. I moved here from Chicago. Chicago law does not allow anyone to carry guns. That was not the reason I came here; it was for other reasons. However, I have had many problems going to certain neighborhoods knowing the criminals carried guns and they knew I did not. Right now, I am opposed to this bill because I am also an insurance agent.

Looking at the liability that is covered, anyone at a 7-Eleven is not able to cover me or my children if I die. The coverage may be \$1 million. That is not enough for my family and my disabled child to be supported. This bill is not sufficient, even though it has some good reasons.

I appreciate the Chairman, the Committee, and those who are for this. However, there are a lot of deficiencies in such a bill. Therefore, I am opposed. If a company is willing to post a sign prohibiting firearms, they should also put a sign next to it saying, "If you come in here and you turn in your gun, we will cover you for \$10 million in case somebody shoots you," or another large liability for the person who is willing to walk into that neighborhood so they are willing to go inside. This bill has a lot of deficiencies. You have to specify the insurance information clearly and mention if someone comes in and dies, they are given \$10 million or another large amount. That has to be figured out by the legislators as to how much it is going to be to cover everyone in case something happens. I am opposed until all of these questions are properly answered.

Joshua Rosenthal, Private Citizen, Henderson, Nevada:

I am the owner of firearmdiscounts.com and I also own a staffing company in town. I am opposed to this bill. For one, this is another avenue to freeze, hold, or set back registered owners. Had this bill been more along the lines of people carrying concealed firearms who are not allowed to, I would be more for it.

According to the CDC, there are 500,000 to 3 million lives that are saved each year by guns used in defense. One of the ways it would not be helpful, nor would the law, would be for 1 October or any other mass shooting. My opinion is criminals are going to get guns and they are going to do what they want to do. They are not going to be worried about signs on doors or misdemeanors or felonies for that matter. Someone committing multiple murders is not worried about a sign for carrying a firearm.

It was also brought up about bordering states and laws. I think they were just referring to California. Arizona and Utah, which are neighboring states, are constitutional carry states. They support our Second Amendment rights and our right to bear arms. I feel this bill is championing the beliefs of false hopes and is against our Second Amendment rights. For the business owners who believe they can protect themselves by putting signs up to prohibit firearms in their facility—I am not a lawyer—but it would open up liability and lawsuits if

something should happen. I feel Nevada has become too far left to focus on what is right and what is best for our community, the rightful gun owners, the right to bear arms, and our Second Amendment, but focuses more on political and special interest groups' beliefs. I am against this.

Bruce Parks, Founder, Nevada Patriot; and Secretary, Battle Born Patriots, Sparks, Nevada:

The play on emotions by equating this bill to safety is extremely disingenuous. I challenge anybody to show me one gun control law that affects crime rates by lowering them. You cannot because none exist. I also find it disingenuous that you put two separate issues into one bill. These should both be treated as separate issues, not rolled into one.

"Untraceable" is a misnomer, as is "assault weapon." Every gun is a ghost gun because the serial numbers, unless there is a national registry, which would be unconstitutional, are meaningless. Police do not use the serial numbers of weapons to prosecute crimes. They use ballistics.

I would also like to point out that you have the most voracious anti-gun groups giving testimony about this bill, and they were allowed to make presentations. This was not a fair and balanced meeting by any stretch of the imagination. You did not invite anyone from the Nevada Firearms Coalition, the NRA, or any other group that could give testimony and presentations that show this bill is not going to do anything to make Nevadans safer. In fact, it will have the exact opposite effect and make us all less safe. You do not make criminals harmless by making good citizens helpless.

I would also like to point out that there is a lot more to Nevada than simply the Strip in Las Vegas. This would be a statewide law, not a Las Vegas law. I would also like to point out that on the Nevada Electronic Legislative Information System site, the Legislature's own website, there is a 9 to 1 ratio of people against this bill as compared to those for this bill. I cannot, for the life of me, understand why we have to be so disingenuous when it comes to firearm laws. I am just curious, what part of "shall not be infringed" is not understandable to our elected representatives? There is a reason why the Second Amendment is written the way it is. I would encourage you all to reread that and maybe digest it and come to an understanding that we have the unalienable right to protect ourselves, and that shall not be infringed.

Chairman Yeager:

I will note for the record, we did have a representative from the NRA on Zoom in opposition, and the Nevada Firearms Coalition was likewise invited, and I believe they provided written testimony and they may be on the phone. I just want to make that clear for the record that we did have that representation. We will take the next caller in opposition.

Kimberly Fergus, Private Citizen, Las Vegas, Nevada:

I am calling in opposition to this bill. This bill was written by people who hate women. I am a domestic abuse survivor.

Chairman Yeager:

Could you please limit your comments to the bill itself? We are not here to discuss the motives of who introduced the bill.

Kimberly Fergus:

I will start over and start the timer. I am calling in opposition to this bill. Since I have to omit that whoever wrote the bill must hate women, I am a domestic abuse survivor. The only thing that makes me equal in a bad situation is owning and knowing how to use a firearm. Women are the victims of a vast majority of domestic violence crimes. Why do you want to take away our rights to defend ourselves? Why do you want to see women be victims? A legally armed woman is an empowered woman. I hope every person on the Committee decides to stand with women and domestic abuse victims and vote no on A.B. 286.

Spencer Achiu, Private Citizen, Las Vegas, Nevada:

I am a student at the University of Las Vegas, Nevada, and a resident of Assembly District No. 9. I am calling today to express my opposition to this bill. I believe it is not only a waste of this Committee's time, but also a waste of the taxpayers' dollars. I urge the Committee instead to support things like campus carry, as well as constitutional carry. I would also like to echo many of the other comments made by Assemblyman O'Neill and the important issues he raised.

Andrew Spinney, Private Citizen, Las Vegas, Nevada:

I am not a gun owner, but this definitely infringes on my right. I moved to Nevada to be able to have that right. Not being able to open carry in certain places, in my opinion, just is not right. I also want to say this is going to create division between police officers and the community. When that division does happen, that is going to be on you guys who vote for it. It is not going to be okay. If you vote on this division, you are creating it. That is exactly what you are going to do, and that is what this bill is going to sponsor. There is a whole lot more division that we have seen throughout the 2020 year. It is not okay. I suggest everyone oppose this bill. We do not need more division in our state. What happened to Officer Shay Mikalonis was definitely not okay. I also want to say that this bill would not have stopped the Route 91 shooting because the shooter bought all those guns legally and he got into the hotel by sneaking them in there. Make sure you do your research. I understand the narrative is that this is about safety, but this is far from about safety. This is about your narrative and your agenda, and that is it.

Shawn Meehan, Founder, Guard the Constitution, Minden, Nevada:

I teach state legislators application of the *U.S. Constitution* across the country. I am a retired Air Force veteran. I object to the short notice of the hearing. Although you said this is the start of the process, each step for legislation is a critical process. I will give you a compliment, Mr. Chairman, that you are trying hard to give both sides equal time.

I want to echo the comments of Janine Hansen on the *Nevada Constitution* regarding the right to keep and bear arms. Constitutions are not suggestions. They are superior to the whims of society and the will of the Legislature. They are superior to laws. I also want to echo the excellent comments of Assemblyman O'Neill and the legitimate threat to him and his family and how he desires to exercise his unalienable right to self-defense.

I encourage all participants for this issue to Google the Luby's massacre, October 16, 1991, in Killeen, Texas, where a crazy man with a firearm drove a vehicle into a building. At that time, Texas law prohibited a woman inside from keeping her firearm under threat of losing her professional license. She had been trained, and after analysis, said she would have been able to stop the shooter and defend herself. He came up in front of her, put both her parents on their knees and executed them right in front of her.

One of the earlier professional testifiers from one of the casinos said this bill is designed for people who are not law-abiding. You are fixing to pass a law that some characterize as for people who are not law-abiding. I will let you all figure out what that means.

Currently, federal law prohibits many of the manufacturers this bill is going to address. I will also say that Justice Scalia in the *Heller* ruling is a dog whistle for conservatives. I believe the person who was speaking to the decision earlier has not actually read it; I would encourage her to do so. I would also like to thank Mr. Reid from the NRA for his expert comments, and some of the others earlier. Law-abiding citizens obey the law; criminals do not. Criminals who kill people mostly obtain weapons illegally. With all due respect, ladies and gentlemen of the Nevada Legislature, you will not take away my unalienable right under the *Nevada Constitution* and the *U.S. Constitution* to defend myself. God Bless, and everyone have a productive day.

Daryl DeShaw, Private Citizen, Las Vegas, Nevada:

I am a 26-year resident of Las Vegas. I am 60 years old. I have handled firearms since I was 6 years old. I grew up in a different society from what Las Vegas is today. Like much of the rest of the state, we understand the people who fear firearms. They do not see that they are not as dangerous as they think they are. The problems actually come from the criminal element. A lot of the problems are societal problems that this bill will not solve.

Most of the things I have on my list to mention have already been brought up. The important one I want to talk about, which I have not heard anyone else say anything about, is this bill creates a taking of property. If people cannot possess a gun they have built themselves legally, it is a constitutional taking of property. It provides no compensation. That is federally unconstitutional. How do you intend to pay people for their firearms? Where are the millions of dollars going to come from, because that is what it is going to take?

Additionally, I have some problems with your definition of a frame versus what I believe the federal law calls a receiver. With AR-15s, the receiver does not meet the federal definition. Pretty much, the ATF has rolled over and played dead in all the cases they had against those nationwide to try to regulate them—ghost guns and otherwise.

If you choose to not buy these guns back and let people keep them, they are not serial numbered in any manner. How do you know if a gun was built ten years ago or if the gun is built tomorrow? You do not know. California thought it was getting slick with this and created a set of laws. That did not stop people from building the guns or serial numbering the guns. That is not going so well for California right now. It is currently in the federal district court in San Diego. California has a losing record on federal gun cases out of that court. I would recommend you table this bill until you see the results of how that court is going to rule what you can and cannot do. Additionally, there are other bills in front of the U.S. Congress now that are attempting to rule these so-called ghost guns. I would maybe take the lead and wait to see what happens there. We do not need ten sets of regulations all over this country for the same thing. We need one uniform set nationwide, whether I agree with it or not. I will send all of you a lengthy written set of comments on the other items I did not cover. [Additional comments were not received.] I just think this law is going in the wrong direction.

Jim DeGraffenreid, National Committeeman, Nevada Republican Party:

I am calling in opposition to this multi-subject and omnibus gun control bill. Because of limited time, I will confine myself to the first part of the bill. Witnesses from prior testimony stated that although there is already law and policy that allows people to prevent carrying on properties, these laws are actually ineffective, and the guns are still on the premises. This law definitely infringes on our constitutional rights by preventing us from defending ourselves in these areas where guns are present. We have found that laws infringing on our constitutional rights in this way do not prevent gun violence, as has been said, but actually make people less safe by creating gun-free zones.

It was already mentioned earlier that the opinions on the legislative website are running 9 to 1 in opposition to this bill. When I checked earlier, there were 1,089 opposed to 127 in favor. I think we should take into account that this is typical with the gun control legislation that has been proposed, both in this session and in past sessions. We should take into account the wishes of the people in Nevada.

Chairman Yeager:

I am going to close opposition testimony. So everyone knows, I have been taking note of the time. We gave support 41 minutes and I gave opposition about an hour in recognition that we had some questions for our opposers on Zoom. That was the reason for giving additional time to the opposition. I know there are still a lot of folks on the phone who wanted to testify in opposition, just like there were folks who wanted to testify in support. Unfortunately, the *Nevada Constitution* requires that we conduct our business in 120 consecutive calendar days, so we often do not have as much time as we would like to hear all the testimony. I will encourage those who were unable to speak in opposition to register your opinion at the Legislature's website or contact Committee members with any additional remarks. Again, I know folks know how to do that because I have been getting those emails consistently throughout the last 36 to 48 hours, and I expect that will continue.

[[Exhibit M](#), [Exhibit N](#), and [Exhibit O](#) were also submitted as testimony in opposition to A.B. 286.]

At this time, I am going to go to neutral testimony on the bill. I have been told we have a couple of people who are neutral on the phone. Before we take those calls, I just want to remind everyone that neutral testimony is if you really have no position on the bill. You do not support it, you do not oppose it, you do not have concerns about it, you are simply giving insight to the Committee about something that could be relevant in its decision-making process with respect to the bill. We will begin neutral testimony at this time.

Brittany Sheehan, Private Citizen, Las Vegas, Nevada:

I am calling in a neutral position on this bill. I am going to make some legal considerations for all members of the Legislature. All parts of this bill pick winners and losers and is inequitable under the Fourteenth Amendment. We are allowing businesses to pick and choose who has the right to carry and protect themselves on their properties.

Chairman Yeager:

Mrs. Sheehan, this is clearly opposition testimony and not neutral testimony. I will give you one last chance to provide neutral testimony, which again, takes no position on the bill but will provide something of note to the Committee.

Brittany Sheehan:

I am attempting to note parts of the bill for consideration. One of the things I found is that someone under the provisions of this bill could grant or deny firearm owners to carry on grounds of race, gender, their favorite football team, or their political party because there is no criteria for how this is adequately applied and not arbitrarily applied.

In that same sentiment, what I have seen in this hearing is that they are supporting state revenue in a private economic sector of tourism and targeting another industry because of their legal product. However, we permit brothels, which are illicit in all other states, and service tourists who come here. We also permit marijuana, which is federally illegal.

I also find we are serving ourselves to regulate federally because the company in Nevada services their product to Americans outside of our state. There is also an issue with restricting people carrying on private property.

Chairman Yeager:

Ms. Sheehan, I am going to stop you. You are providing opposition testimony and far from neutral testimony. If you have opposition testimony on the bill, please submit that to the Committee in writing. We will take the next caller in neutral on [Assembly Bill 286](#).

Joel Rivas, Private Citizen, Las Vegas, Nevada:

I would like you to consider that if businesses have the choice whether or not to inform the authorities, they are most likely going to do it when a Black or Latino person is carrying the gun. I understand the need for safety, but the point of the matter is if a Black person goes in

with a gun and a white person goes in with gun, they are more likely to call the cops on the Black person with the gun or a Latino with a gun. Is this legislation going to hopefully do something for Blacks, Mexicans, Puerto Ricans, et cetera, in jail? This sounds kind of Jim Crow. I have no further comments.

Chairman Yeager:

I am not sure if that was neutral testimony, but you did not seem to take a position at all, so I will characterize it as neutral. I want to remind callers on the phone, if you have a position on the bill, meaning you are in support or in opposition, you are then not in neutral and should provide your comments in writing. We will take the next caller in neutral.

Greg Gar, Private Citizen, Genoa, Nevada:

I am a retired California police officer, retiring in December after 29 years of honorable service. I am also a veteran of the U.S. Navy, where I served for 14 years. The law, as written, does not recognize veterans or retired peace officers who would want to continue to defend not only themselves, but others. I would pose to the author of the bill to consider veterans and retired law enforcement officers out there who still have the desire to protect and defend not only themselves and their families, but fellow Nevadans also.

Chairman Yeager:

Again callers, I will remind you, if you are advocating for or against passage of the bill, you are not in neutral. If you have zero position on the bill and do not care one way or another whether it passes or not, then now is the time for you to speak. We will take the next caller in neutral.

Emily Persaud-Zamora, Executive Director, Silver State Voices:

Silver State Voices is testifying in neutral today. One thing we think the Committee and the sponsor of the bill should think about in this piece of legislation is voting locations, early vote, and election day locations. If this bill passes, we definitely think it should have an amendment including these locations.

Loran Kelley, Owner, Polymer80, Dayton, Nevada:

I am calling to truly be neutral. I do not care if this bill passes or not. I am just informing you that we, as Americans, just will not comply with it no matter what you do. I do not care if it passes. I am neutral, but I will not comply.

Chairman Yeager:

That was certainly a creative way to try to offer neutral testimony. I think it is oppositional testimony, but we will characterize it for neutral for the time being. We will take the next caller in neutral.

Justin Rost, Private Citizen, Winnemucca, Nevada:

I am going to testify as neutral today. I feel the ghost gun part was a way to get a lot of other things colluded into one big bag. It has obviously been stated by several different people that the segregation of the two issues are definitely separated. I think you would find

a bipartisanship by doing so. The biggest thing I would like to point out is you find people hearing one side of the narrative and then flowing into an entire bag of tricks. I would just advocate that people on both sides, opposition and support, to critically and diligently think about the effect of the bill passing other than just the one perspective that they singlehandedly aside with.

As a gun collector myself, I can understand the pre-1968 with the NRA and the Nevada Firearms Coalition, respectively. I can also understand the perspective of those who are for it regarding the ghost guns and the newer guns. That is definitely an issue in my opinion. Therefore, this is about as fair as I can give you as a neutral perspective. Everyone take this into a critical perspective and try to see what is being shoved into the cracks under the ghost guns. I do believe if you took the ghost gun part out, this would not even be on the board.

Chairman Yeager:

Again, neutral testimony is if you have no position on the bill but have something of importance to offer the Committee in this decision making. That would not be amendments to the bill, that would not be saying you actually support the bill but want to say you are neutral. That would not be saying you oppose the bill but want to say you are neutral. We are going to stay in neutral just a bit longer. I will note, there were only two people signed up for neutral testimony prior to the hearing. If you intended to testify in some other way and are now trying to testify in neutral, that is inappropriate and violates our Committee rules.

David Gomez, President, Nevada Peace Alliance; and Deputy Director, League of United Latin American Citizens:

I am also the former president of Westside Action Alliance Corp Uplifting People with Marzette Lewis on the westside of Las Vegas, where some people have never visited. Nevertheless, I am not a gun owner, so I do not support nor oppose the bill. The problem I see is that the bill does not support anyone. Everyone is upset about the whole process. Everyone is beside themselves. I see too much division. As Assembly members, it is your responsibility to help with the process and not 24 hours, 48 hours, a half day later, present something and hope that it passes through or be denied.

Chairman Yeager:

Sir, this is not neutral testimony. We will take the next caller.

Chuck Callaway, Police Director, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department:

I am one of the two people who signed in as neutral prior to the hearing. I just want the Committee to know that the LVMPD is neutral on the bill. I think there are a lot of questions raised that have merit and need to be delved into further. The LVMPD certainly supports property owner's ability to prohibit firearms on their property. However, whether or not that is a criminal penalty, we believe that is up to the Legislature to decide.

We have seen an uptick in ghost guns, but we are in the process of trying to determine how that reflects with our overall impounding of illegal firearms, what percentage that might be, and if it is significant or if it is not. We are willing to assist or work with the proponents of the bill as needed.

Chairman Yeager:

Thank you for your neutral testimony, Mr. Callaway. Given that the two people who signed in as neutral have now testified in neutral, I am going to close neutral testimony. At the beginning of this hearing, I indicated neutral would get 10 minutes, and we gave neutral 15 minutes. That was based on the number of folks who signed in for neutral testimony. With that testimony behind us, Assemblywoman Jauregui, I want to hand it back over to you to make any concluding remarks you may have on Assembly Bill 286.

Assemblywoman Jauregui:

I had various people throughout the bill hearing text me this morning to thank me for carrying this bill today. It is my responsibility. I have to do this. I am not a trained soldier; I am not a trained law enforcement officer. I was never ready for the type of situation I was put into on 1 October. I do not think I could ever adequately explain what it feels like to endure ten minutes of gunfire with over 1,000 rounds of bullets raining down and you firmly believe you are going to die or even worse, that someone you love is going to die. Ten minutes felt like an eternity. I have made it my mission since that day to work so no one, whether you are a Nevadan or a visitor in our state, ever has to experience that type of hell again.

I do want to point out a couple of things. I know it was brought up about exemptions on background checks during the hearing by Mr. Reid. I want to remind the Committee members that sections 5 and 6 of NRS 202.2548 expressly allow for the type of transfer we were talking about. Also, during opposition, we heard Mr. Findlay give numbers regarding the reduction of homicides and suicides. Mr. Lindley has already kindly sent to the Committee members information from the Federal Bureau of Investigation, U.S. Department of Justice, and CDC showing that those numbers Mr. Findlay provided were incorrect.

Members, you have heard today from people who say A.B. 286 will not stop all gun violence or save every victim. No law we pass stops every bad thing from happening. The seatbelt requirement does not stop all people from dying in a car accident. No drunk driving law stops all incidents of drunk driving. No dropout prevention bill keeps every kid in school. A mask requirement does not stop every incident of COVID-19. If the point was to stop all of this, then we should just go home. The point in all of these measures, including A.B. 286, is that we will stop some incidents. We will save some lives. It will help our law enforcement have the tools they need to keep guns out of the hands of those who would do harm. It will help the largest driver of our state's economic recovery be safe for the over 40 million visitors a year that came to Las Vegas prior to the pandemic.

This bill might have saved two sheriff's deputies' lives in Los Angeles who were shot with ghost guns built with parts from a Nevada company. It might have saved us from 1 October. More importantly, it might save us from ever having that happen again.

I want to thank everyone who has worked over the last few years to make this bill a reality. I believe it is a good piece of legislation that incorporates many compromises. I am happy to continue working with interested parties who are truly interested in seeing this bill pass. If interested parties want to discuss further ideas and amendments, my virtual door remains open. However, I will not sacrifice the safety of every visitor and every other convention for the convenience of one. Texas has passed these laws, which we modeled ours after. The gun owners in Texas have managed to own guns under the same law.

To that end, I want to thank those who have worked on this bill. I give special thanks to the LVMPD who, under the leadership of Clark County Sheriff Joe Lombardo, have done their best to keep the Las Vegas Strip safe during these tough times, including implementing crackdowns in the last month that resulted in 64 confiscated guns on the Strip. I want to thank Governor Sisolak and Sheriff Lombardo in the wake of 1 October for making it clear that there is no tolerance for gun violence, and for taking tremendous steps last session to champion and sign bills to curb gun violence. I also want to thank Everytown for Gun Safety, Brady United, Giffords Law Center, and MGM Resorts. Thank you, Committee, for your time and for considering [A.B. 286](#). I strongly urge you to support this measure.

Chairman Yeager:

Before I close the Committee hearing, I just want to put on the record the way we conducted this hearing timewise. The presentation of the bill was 31 minutes. We took 35 minutes of questions after the presentation. Following that we took 41 minutes of supportive testimony, one hour of opposition testimony, 14 minutes of some neutral and some opposition testimony, and then we had 5 minutes for concluding remarks.

I know not everyone had a chance to participate who would have liked to, but again, I ask you for your patience. I encourage you to submit comments in writing on the Legislature's website or to the Committee members. Thank you to Assemblywoman Jauregui and the presenters who joined us here this morning to spend a few hours of your St. Patrick's Day morning with us. We truly appreciate it, and I hope you have a great rest of the day.

I will now close the hearing on [A.B. 286](#). We have one other item on the agenda, which is public comment. By way of reminder, we reserve up to 30 minutes of public comment time at the end of each meeting. Commenters on the public comment line will have two minutes to provide public comment.

I will note we still have a lot of people on the phone. Many of them were to testify on the bill we just heard. Public comment is not a time to testify on the bill we just closed. Public comment is a time to bring up matters of a general nature within the jurisdiction of the

Assembly Committee on Judiciary. If you are thinking about using public comment to try to express your opinion on the bill we just heard, that would be inappropriate and you will forfeit your right to give public comment if you try to do that. We will go to the public comment line and take our first caller for public comment.

Annemarie Grant, Private Citizen, Quincy, Massachusetts:

As you know, my brother, Thomas Purdy, was hog-tied by Reno Police and then asphyxiated to death by the Washoe County Sheriff's Office while still hog-tied and prone. It is the little things I miss the most from my brother, like a hug, a phone call, the way he was so protective of my son and would always ask to make sure no one was bothering him. I miss hearing him say "Love you, Anne" at the end of our conversations. My brother was the father of two children who were Joshua, 10, and Juliana, 8, when he was killed by police. I have to bear witness to the profound and detrimental effects it has had on their lives. I have never slept over three solid hours a night since October 4, 2015. Could you imagine being a child and having to process your parent being asphyxiated to death by those who you have been taught are there to protect us?

Kenneth Stafford was the father of three daughters when he was killed by Sparks police. Niko Smith was a father when he was asphyxiated by Washoe County sheriff's officers. Johnny Bonta was a father when he was shot by Sparks police. Kyle Zimbelman was a father of three children when he was shot by multiple Nevada law enforcement agencies. Nicholas Farah was a father when he was asphyxiated to death at the Clark County Detention Center.

It was mentioned earlier today about trespassing and how it is such a minor offense in your state. My brother lost his life for it when he was a guest at a hotel and simply asked for help. There is not a single day, hour, or minute when the torture and terror he experienced is not on my mind. That is why I continue until my last breath to be his voice and advocate for change. I do not want your family to know this pain, and it is a real reality. I, too, once lived on an imaginary pedestal where my loved one would not be murdered by police without consequence. Please support bills that promote transparency and accountability, such as Assembly Bill 268, should it come before this Committee.

Maggie Mordaunt, Private Citizen, Henderson, Nevada:

I am calling to speak about the meeting we just listened to. I feel that our world has actually been homebound due to COVID-19. I feel politicians really need to think about how we can get back to normal and get back out in the world, understanding there are many criminals in the world criminalizing law-abiding citizens. They really need to think about different laws they put into place or bills they try to present keeping their own personal feelings out of it and understanding the good of the people and what our founding fathers wanted and put in place for us to protect ourselves against all forms of domestic violence.

As a woman, I really feel it is my God-given right to protect myself, my loved ones, and any person in my presence or my company. As a firearms owner, I understand there are criminals out there and see that those criminals are looking at laws and how they will benefit from them. We, as law-abiding citizens, are looking at how laws are put into place and how bills are represented and how that can actually be something that is put against us.

Stephen Crescenti, Private Citizen, Las Vegas, Nevada:

I would like to remind everyone and wish you all happy anniversary. This is the one-year anniversary of "two weeks to flatten the curve." Unfortunately, I would like to see our Assembly members and elected officials actually work toward getting Nevadans back to work to be able to provide for our families, and helping us, as Nevadans, prosper. I have been a Nevada resident for 19 years.

I am not going to mention either pro or con toward Assembly Bill 286, but what I am asking for is instead of trying to work toward partisan, whether pro or con, toward this bill, we actually put these types of conversations aside and work toward figuring out how we get back to 100 percent in our state. Not 25 percent, not 35 percent, not mask mandate or no mask, is how we work toward spending our valuable time as Nevadans in helping each other and working toward making our state a great state once again.

Gina St. Ores, Private Citizen, Reno, Nevada:

I want to build on the last caller's comments regarding the lockdown and the number of people who have been out of work. It has resulted in and caused a lot of hardships and homelessness. I want to share with you that over this past year, while all these mandates went into effect, to protect my husband, who is a cancer survivor, I did most of the shopping by myself. This past year has been a real eye-opener over the amount of protection I needed. I was realizing a lot of times I would go to the store—I did not go every week, but tried to go as little as possible to not be around other people and be safe—I would have to buy a lot of groceries. When you are going to your car by yourself after a long day of shopping and loading everything and someone sneaks up behind you to ask for money or other help, it is very disconcerting. It was a big problem this past year and is just getting worse with all these shutdowns. I do not know why we have not put a COVID-19 cleaning commission together to put these people to work cleaning and making areas in restaurants safe so other people can do business and open. I do not see what is going on. I am very concerned that my community is going downhill with the lack of safety. By the time I could even react, it could be too late. I would like to strongly emphasize that these laws are not protecting us if things are getting out of control. Please put that into perspective as someone who is trying to be both COVID-safe and community-safe.

Ethan Cullings, Private Citizen, Henderson, Nevada:

I am calling this morning to ask the Committee to hear Assembly Bill 161. By the end of the month, it is estimated that 500,000 Nevadans are going to be at risk of eviction when the Centers for Disease Control and Prevention moratorium expires. I understand this is beyond the control of this Committee, but the least this Committee could do is hear a bill that would give these folks due process.

Ending summary evictions is not a bold concept. It is standard practice in 49 other states. Please consider bringing Assembly Bill 161 to be heard.

Debra Songer, Private Citizen, Carson City, Nevada:

I do not condone, and I am sorry for these people who have seen the barrel of a shotgun or a gun being shot at them. I have been a victim twice. I was kidnapped and raped. If I had had a firearm, which I did not, I would be fine. I was a victim. I had a sawed-off shotgun to my head. I told him to shoot me, okay. I was done. I had two teenage babies. I would like you to just clean up. We have bills against firearms and all this. Even with the laws, you are not getting the criminals. This bill is not getting the criminals off the streets.

I am very emotional about it. It is not going to keep guns out of the hands of criminals. The law-abiding citizens do abide by the law. It is the criminals, and we are going to get more and more coming from California and Arizona. They have already caught people coming in with automatic guns, not semi-automatic guns. The White House and everything are fenced off. How many guns do they have surrounding them? How many guns do we have surrounding our city? None. We have nothing to protect ourselves but our guns. I do not even own a gun, but for our gun people, please think about this. I am sorry, I understand about a gun shooting. Trust me. Like I said, I have had a sawed-off shotgun to my head. You do not know how that feels. That is worse than hearing a gunshot; I am sorry. I heard it set and waited for him to click one more click. We need the law-abiding citizens to be able to have them because we do depend on them when we need them. Maybe if somebody had known about this guy that went in there with nobody knowing he had guns. His mind was set. He was going to hurt and kill some people for some reason. That is not your average, law-abiding gunman. Please think about it because you would not like a gun against your head or anywhere else. I am totally against it. Bye. I am sorry.

Greg Gar, Private Citizen, Genoa, Nevada:

I am a retired California peace officer with 29 1/2 years of honorable service and 14 years of service to the U.S. Navy. I want to share a quick story. I was on the job in the Los Angeles area, had been on the job for about a year. I got a call about a vehicle accident. When we got there, it became obvious it was no accident. Seated in the right front seat was a deceased Asian male. Seated in the left front seat was a deceased Asian female. The Asian male had a softball-sized hole in the back of his head and the whole front part of his face was completely blown off. The Asian female had a golf ball-sized hole in the front of her face and the whole backside of her head was completely blown off. They owned a Winchell's donut store. They were held up at gunpoint and told to drive to a remote location, which is the location where we found them. The person in the back seat had a sawed-off shotgun, which was illegal at the time. He pointed it at the Asian male's head and blew it off, while the wife, I would imagine, was screaming and looking over the back seat, he shot her in the face. The smell from their bodies in that vehicle stayed in my nostrils for several hours, and the memory of that smell stayed for several days.

We would all like to have laws that protect people, myself included. I enforced laws for 29 1/2 years. Assemblywoman Jauregui said a law does not prevent all deaths, but if it prevents one, then it is a good law.

Chairman Yeager:

Sir, we have closed the bill hearing, so you need to keep your comments to a general nature.

Greg Gar:

I am sorry about that. I guess that is all I have to say. We want laws that protect people, but we want to make sure these laws do not also put people's lives at risk.

Amber Carrillo, Private Citizen, Wellington, Nevada:

I strongly oppose Assembly Bill 286.

Chairman Yeager:

Madam, we are taking testimony for public comment. We have closed the bill hearing. If you have public comment of a general nature, that would be appropriate. If your comments are on the bill, you will have to submit them in writing.

Jesse Mosley, Private Citizen, Las Vegas, Nevada:

My understanding is that bill comments are now closed and if I want to submit something, I have to do so in writing. Is that correct?

Chairman Yeager:

That is correct, sir. We are in public comment, so this would be time for matters of a general nature not relating to the bill we heard.

Jesse Mosley:

I appreciate your time. I will submit something in writing to your office.

David Gomez, President, Nevada Peace Alliance; and Deputy Director, League of United Latin American Citizens:

I do not appreciate being hung up on. I do not like that, and I do not appreciate your blatantly taking into consideration other people, being Black or whatever I am. You can consider another person and say, "Sir, sir. This is not part of that. Sir, can you skip to this?" But you will not do that for me. What kind of biased issue is that? What does that say about you? What does that point out? You do not want me to speak about the bill, then you gave me something to speak about. This is what I want to speak about.

As an Assembly person, you are supposed to be unbiased. You are not supposed to pick one versus the other and be polite to one versus another. You are supposed to look at the whole situation and treat equally across the board. I have an unalienable right to be treated equal, regardless of how you feel about me, regardless of what I did when I walked against people who ran for office and what was said does not give you the right to treat me any

different than anyone else. When you speak to a woman or another man because of their etiquette, whether they live in Summerlin or Henderson or out to the Far West where you are, does not give you the right to do that. You have to treat me the exact same way.

You do not want to talk about the bill? That is your problem. My problem is that you are going to respect me as a constituent whether I live in district 41, 12, or wherever I live. That is just the way it is. If you do not like it, I can file an ethics complaint against you and tell them to listen to it and tell them to listen to how you treated me and how you treat others that do not fit the demographic criteria of what I am. I do not appreciate it, and I am telling you that right now. If you have something to say to me, you can address it in that manner and say, "Sir. Mr. Gomez."

Chairman Yeager:

Sir. Mr. Gomez, you are at your two minutes. Please wrap up your comments.

David Gomez:

Yes, sir, I will, Mr. Yeager. Let me tell you, your wife is an excellent woman.

Chairman Yeager:

We will take the next caller. [There were no additional callers.] I will now close public comment. Committee members, I am sure you are exhausted from a long morning, but is there anything you would like to say before we talk about next week?

Assemblywoman Nguyen:

I know this was a very contentious hearing, and I just want to thank you, Chair. I think you ran a very fair, open, transparent hearing, especially considering the passionate nature of the testimony in opposition, support, and apparently, neutral.

Assemblyman Wheeler:

I would like to say ditto to Assemblywoman Nguyen's comments. The hearing was fair, and you did give more time to opposition, actually, than you did in support. I appreciated that. I realize we have a lot of work to do on Assembly Bill 286. I do not appreciate people attacking you personally.

Chairman Yeager:

This was a contentious hearing and sometimes we have these hearings in the Legislature. I think we can be proud of the record that was made today. I think we all share the belief that we want to do what is best for Nevada. We might disagree about what that is or how to get there. The point of this process is so we get that input. Ultimately, we all have a vote on legislation.

I want to thank the Committee members. I know these are long mornings and difficult hearings, but thank you for your questions and your attention this morning. We have a floor session very soon, so I am going to wrap up quickly. We do have a meeting agendized for tomorrow and Friday. Both will be at 8 a.m. We have two bills on both of those days. Tomorrow, we are going to hear a bill from Assemblywoman Nguyen and also from Assemblyman Miller. I look forward to that tomorrow morning. I want to remind you to head to the floor as soon as you get a chance.

This meeting is adjourned [at 11:44 a.m.].

RESPECTFULLY SUBMITTED:

Lori McCleary
Committee Secretary

APPROVED BY:

Assemblyman Steve Yeager, Chairman

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is a proposed amendment to [Assembly Bill 286](#), submitted by Assemblywoman Sandra Jauregui, Assembly District No. 41.

[Exhibit D](#) is a PowerPoint presentation titled "Ghost Guns. What are they and Why Should We Care?", presented by Stephen J. Lindley, Program Manager, Brady Campaign & Center to Prevent Gun Violence, regarding [Assembly Bill 286](#).

[Exhibit E](#) is written testimony submitted by Elizabeth Becker, Volunteer, Nevada Chapter, Moms Demand Action for Gun Sense in America, in support of [Assembly Bill 286](#).

[Exhibit F](#) is written testimony submitted by Karl Catarata, Private Citizen, Las Vegas, Nevada, in support of [Assembly Bill 286](#).

[Exhibit G](#) is written testimony dated March 17, 2021, submitted by Teresa Crawford, Volunteer, Nevada Chapter, Moms Demand Action for Gun Sense in America, in support of [Assembly Bill 286](#).

[Exhibit H](#) is written testimony dated March 17, 2021, submitted by Joshua Schwartz, State Legislative Lead, Nevada Moms Demand Action, in support of [Assembly Bill 286](#).

[Exhibit I](#) is written testimony submitted by Ryan Budman, Private Citizen, Reno, Nevada, in support of [Assembly Bill 286](#).

[Exhibit J](#) is a copy of an email dated March 17, 2021, submitted by Kileen Kohn, Private Citizen, Las Vegas, Nevada, in support of [Assembly Bill 286](#).

[Exhibit K](#) is a copy of an email dated March 16, 2021, submitted by N. June Eshelman, Private Citizen, Henderson, Nevada, in support of [Assembly Bill 286](#).

[Exhibit L](#) is a letter dated March 15, 2021, submitted by Daniel Reid, Western Regional Director, National Rifle Association of America Institute for Legislative Action, in opposition to [Assembly Bill 286](#).

[Exhibit M](#) is written testimony submitted by Dianna Johnson, Private Citizen, in opposition to [Assembly Bill 286](#).

[Exhibit N](#) is written testimony dated March 17, 2021, submitted by Randi Thompson, representing Nevada Firearms Coalition, in opposition to [Assembly Bill 286](#).

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[Exhibit O](#) is a collection of emails to the Assembly Committee on Judiciary in opposition to Assembly Bill 286.