



NV REVISED STATUTES
Firearms & Ammunition Summary
(may not be current nor complete)
from: Nevada Law Library
JUNE 2014

Notes: Green: firearms & ammunition
Red: notes

Nevada Constitution:

Sec. 11. Right to keep and bear arms; civil power supreme.

1. Every citizen has the right to keep and bear **arms** for security and defense, for lawful hunting and recreational use and for other lawful purposes.

2. The military shall be subordinate to the civil power; No standing army shall be maintained by this State in time of peace, and in time of War, no appropriation for a standing army shall be for a longer time than two years.

[Amended in 1982. Proposed and passed by the 1979 legislature; agreed to and passed by the 1981 legislature; and approved and ratified by the people at the 1982 general election. See: Statutes of Nevada 1979, p. 1986; Statutes of Nevada 1981, p. 2083.]

NRS 21.090 Property exempt from execution.

1. The following property is exempt from execution, except as otherwise specifically provided in this section or required by federal law:

(a) Private libraries, works of art, musical instruments and jewelry not to exceed \$5,000 in value, belonging to the judgment debtor or a dependent of the judgment debtor, to be selected by the judgment debtor, and all family pictures and keepsakes.

(b) Necessary household goods, furnishings, electronics, wearing apparel, other personal effects and yard equipment, not to exceed \$12,000 in value, belonging to the judgment debtor or a dependent of the judgment debtor, to be selected by the judgment debtor.

(c) Farm trucks, farm stock, farm tools, farm equipment, supplies and seed not to exceed \$4,500 in value, belonging to the judgment debtor to be selected by the judgment debtor.

(d) Professional libraries, equipment, supplies, and the tools, inventory, instruments and materials used to carry on the trade or business of the judgment debtor for the support of the judgment debtor and his or her family not to exceed \$10,000 in value.

(e) The cabin or dwelling of a miner or prospector, the miner's or prospector's cars, implements and appliances necessary for carrying on any mining operations and the mining claim actually worked by the miner or prospector, not exceeding \$4,500 in total value.

(f) Except as otherwise provided in paragraph (p), one vehicle if the judgment debtor's equity does not exceed \$15,000 or the creditor is paid an amount equal to any excess above that equity.

(g) For any workweek, 75 percent of the disposable earnings of a judgment debtor during that week, or 50 times the minimum hourly wage prescribed by section 6(a)(1) of the federal Fair Labor Standards Act of 1938, 29 U.S.C. § 206(a)(1), and in effect at the time the earnings are payable, whichever is greater. Except as otherwise provided in paragraphs (o), (s) and (t), the exemption provided in this paragraph does not apply in the case of any order of a court of competent jurisdiction for the support of any person, any order of a court of bankruptcy or of any debt due for any state or federal tax. As used in this paragraph:

(1) "Disposable earnings" means that part of the earnings of a judgment debtor remaining after the deduction from those earnings of any amounts required by law to be withheld.

(2) "Earnings" means compensation paid or payable for personal services performed by a judgment debtor in the regular course of business, including, without limitation, compensation designated as income, wages, tips, a salary, a commission or a bonus. The term includes compensation received by a judgment debtor that is in the possession of

the judgment debtor, compensation held in accounts maintained in a bank or any other financial institution or, in the case of a receivable, compensation that is due the judgment debtor.

(h) All fire engines, hooks and ladders, with the carts, trucks and carriages, hose, buckets, implements and apparatus thereunto appertaining, and all furniture and uniforms of any fire company or department organized under the laws of this State.

(i) All arms, uniforms and accouterments required by law to be kept by any person, and also one gun, to be selected by the debtor.

(j) All courthouses, jails, public offices and buildings, lots, grounds and personal property, the fixtures, furniture, books, papers and appurtenances belonging and pertaining to the courthouse, jail and public offices belonging to any county of this State, all cemeteries, public squares, parks and places, public buildings, town halls, markets, buildings for the use of fire departments and military organizations, and the lots and grounds thereto belonging and appertaining, owned or held by any town or incorporated city, or dedicated by the town or city to health, ornament or public use, or for the use of any fire or military company organized under the laws of this State and all lots, buildings and other school property owned by a school district and devoted to public school purposes.

(k) All money, benefits, privileges or immunities accruing or in any manner growing out of any life insurance.

(l) The homestead as provided for by law, including a homestead for which allodial title has been established and not relinquished and for which a waiver executed pursuant to [NRS 115.010](#) is not applicable.

(m) The dwelling of the judgment debtor occupied as a home for himself or herself and family, where the amount of equity held by the judgment debtor in the home does not exceed \$550,000 in value and the dwelling is situated upon lands not owned by the judgment debtor.

(n) All money reasonably deposited with a landlord by the judgment debtor to secure an agreement to rent or lease a dwelling that is used by the judgment debtor as his or her primary residence, except that such money is not exempt with respect to a landlord or the landlord's successor in interest who seeks to enforce the terms of the agreement to rent or lease the dwelling.

(o) All property in this State of the judgment debtor where the judgment is in favor of any state for failure to pay that state's income tax on benefits received from a pension or other retirement plan.

(p) Any vehicle owned by the judgment debtor for use by the judgment debtor or the judgment debtor's dependent that is equipped or modified to provide mobility for a person with a permanent disability.

(q) Any prosthesis or equipment prescribed by a physician or dentist for the judgment debtor or a dependent of the debtor.

(r) Money, not to exceed \$500,000 in present value, held in:

(1) An individual retirement arrangement which conforms with the applicable limitations and requirements of section 408 or 408A of the Internal Revenue Code, 26 U.S.C. §§ 408 and 408A;

(2) A written simplified employee pension plan which conforms with the applicable limitations and requirements of section 408 of the Internal Revenue Code, 26 U.S.C. § 408;

(3) A cash or deferred arrangement which is a qualified plan pursuant to the Internal Revenue Code;

(4) A trust forming part of a stock bonus, pension or profit-sharing plan which is a qualified plan pursuant to sections 401 et seq. of the Internal Revenue Code, 26 U.S.C. §§ 401 et seq.; and

(5) A trust forming part of a qualified tuition program pursuant to [chapter 353B](#) of NRS, any applicable regulations adopted pursuant to [chapter 353B](#) of NRS and section 529 of the Internal Revenue Code, 26 U.S.C. § 529, unless the money is deposited after the entry of a judgment against the purchaser or account owner or the money will not be used by any beneficiary to attend a college or university.

(s) All money and other benefits paid pursuant to the order of a court of competent jurisdiction for the support, education and maintenance of a child, whether collected by the judgment debtor or the State.

(t) All money and other benefits paid pursuant to the order of a court of competent jurisdiction for the support and maintenance of a former spouse, including the amount of any arrearages in the payment of such support and maintenance to which the former spouse may be entitled.

(u) Payments, in an amount not to exceed \$16,150, received as compensation for personal injury, not including compensation for pain and suffering or actual pecuniary loss, by the judgment debtor or by a person upon whom the judgment debtor is dependent at the time the payment is received.

(v) Payments received as compensation for the wrongful death of a person upon whom the judgment debtor was dependent at the time of the wrongful death, to the extent reasonably necessary for the support of the judgment debtor and any dependent of the judgment debtor.

(w) Payments received as compensation for the loss of future earnings of the judgment debtor or of a person upon whom the judgment debtor is dependent at the time the payment is received, to the extent reasonably necessary for the support of the judgment debtor and any dependent of the judgment debtor.

- (x) Payments received as restitution for a criminal act.
 - (y) Payments received pursuant to the federal Social Security Act, including, without limitation, retirement and survivors' benefits, supplemental security income benefits and disability insurance benefits.
 - (z) Any personal property not otherwise exempt from execution pursuant to this subsection belonging to the judgment debtor, including, without limitation, the judgment debtor's equity in any property, money, stocks, bonds or other funds on deposit with a financial institution, not to exceed \$1,000 in total value, to be selected by the judgment debtor.
 - (aa) Any tax refund received by the judgment debtor that is derived from the earned income credit described in section 32 of the Internal Revenue Code, 26 U.S.C. § 32, or a similar credit provided pursuant to a state law.
 - (bb) Stock of a corporation described in subsection 2 of [NRS 78.746](#) except as set forth in that section.
 - (cc) Regardless of whether a trust contains a spendthrift provision:
 - (1) A distribution interest in the trust as defined in [NRS 163.4155](#) that is a contingent interest, if the contingency has not been satisfied or removed;
 - (2) A distribution interest in the trust as defined in [NRS 163.4155](#) that is a discretionary interest as described in [NRS 163.4185](#), if the interest has not been distributed;
 - (3) A power of appointment in the trust as defined in [NRS 163.4157](#) regardless of whether the power has been exercised;
 - (4) A power listed in [NRS 163.5553](#) that is held by a trust protector as defined in [NRS 163.5547](#) or any other person regardless of whether the power has been exercised; and
 - (5) A reserved power in the trust as defined in [NRS 163.4165](#) regardless of whether the power has been exercised.
 - (dd) If a trust contains a spendthrift provision:
 - (1) A distribution interest in the trust as defined in [NRS 163.4155](#) that is a mandatory interest as described in [NRS 163.4185](#), if the interest has not been distributed; and
 - (2) Notwithstanding a beneficiary's right to enforce a support interest, a distribution interest in the trust as defined in [NRS 163.4155](#) that is a support interest as described in [NRS 163.4185](#), if the interest has not been distributed.
 - (ee) Proceeds received from a private disability insurance plan.
 - (ff) Money in a trust fund for funeral or burial services pursuant to [NRS 689.700](#).
 - (gg) Compensation that was payable or paid pursuant to [chapters 616A to 616D](#), inclusive, or chapter [617](#) of NRS as provided in [NRS 616C.205](#).
 - (hh) Unemployment compensation benefits received pursuant to [NRS 612.710](#).
 - (ii) Benefits or refunds payable or paid from the Public Employees' Retirement System pursuant to [NRS 286.670](#).
 - (jj) Money paid or rights existing for vocational rehabilitation pursuant to [NRS 615.270](#).
 - (kk) Public assistance provided through the Department of Health and Human Services pursuant to [NRS 422.291](#).
 - (ll) Child welfare assistance provided pursuant to [NRS 432.036](#).
2. Except as otherwise provided in [NRS 115.010](#), no article or species of property mentioned in this section is exempt from execution issued upon a judgment to recover for its price, or upon a judgment of foreclosure of a mortgage or other lien thereon.
3. Any exemptions specified in subsection (d) of section 522 of the Bankruptcy Act of 1978, 11 U.S.C. § 522(d), do not apply to property owned by a resident of this State unless conferred also by subsection 1, as limited by subsection 2.
- [1911 CPA § 346; A 1921, 22; 1941, 32; 1931 NCL § 8844]—(NRS A 1969, 841; 1971, 1498; 1973, 23; 1975, 215; 1977, 650; 1979, 985, 1637; 1981, 626; 1983, 99, 665; 1987, 1206; 1989, 4, 176, 645; 1991, 812, 1414; 1993, 2629; 1995, 229; [1997, 267, 3414](#); [2003, 1012, 1814](#); [2005, 385, 974, 1015, 2230](#); [2007, 2710, 3018](#); [2009, 807](#); [2011, 1409, 1895, 3567](#))

NRS 12.107 Limitation on commencement of lawsuit against manufacturer or distributor of firearm or ammunition or trade association related to firearms or ammunition; exception for breach of contract or warranty.

- 1. Except as otherwise provided in subsection 2, the State of Nevada is the only governmental entity in this state that may commence a lawsuit against a manufacturer or distributor of a **firearm or ammunition** or a trade association related to **firearms or ammunition** for damages, abatement or injunctive relief resulting from or relating to the lawful design or manufacture of a **firearm or ammunition** or the marketing or sale of a **firearm or ammunition** to the public.
- 2. The provisions of this section do not prohibit a county, city, local government or other political subdivision of this state or an agency thereof from commencing a lawsuit against a manufacturer or distributor of a **firearm or ammunition** for breach of contract or warranty concerning a **firearm or ammunition** purchased by the county, city, local government or other political subdivision of this state or agency thereof. (Added to NRS by [1999, 1411](#))

NRS 40.140 Nuisance defined; action for abatement and damages; exceptions.

1. Except as otherwise provided in this section:

(a) Anything which is injurious to health, or indecent and offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property;

(b) A building or place used for the purpose of unlawfully selling, serving, storing, keeping, manufacturing, using or giving away a controlled substance, immediate precursor or controlled substance analog;

(c) A building or place which was used for the purpose of unlawfully manufacturing a controlled substance, immediate precursor or controlled substance analog and:

(1) Which has not been deemed safe for habitation by the board of health; or

(2) From which all materials or substances involving the controlled substance, immediate precursor or controlled substance analog have not been removed or remediated by an entity certified or licensed to do so within 180 days after the building or place is no longer used for the purpose of unlawfully manufacturing a controlled substance, immediate precursor or controlled substance analog; or

(d) A building or place regularly and continuously used by the members of a criminal gang to engage in, or facilitate the commission of, crimes by the criminal gang.

↪ is a nuisance, and the subject of an action. The action may be brought by any person whose property is injuriously affected, or whose personal enjoyment is lessened by the nuisance, and by the judgment the nuisance may be enjoined or abated, as well as damages recovered.

2. It is presumed:

(a) That an agricultural activity conducted on farmland, consistent with good agricultural practice and established before surrounding nonagricultural activities is reasonable. Such activity does not constitute a nuisance unless the activity has a substantial adverse effect on the public health or safety.

(b) That an agricultural activity which does not violate a federal, state or local law, ordinance or regulation constitutes good agricultural practice.

3. A shooting range does not constitute a nuisance with respect to any noise attributable to the shooting range if the shooting range is in compliance with the provisions of all applicable statutes, ordinances and regulations concerning noise:

(a) As those provisions existed on October 1, 1997, for a shooting range in operation on or before October 1, 1997; or

(b) As those provisions exist on the date that the shooting range begins operation, for a shooting range that begins operation after October 1, 1997.

↪ A shooting range is not subject to any state or local law related to the control of noise that is adopted or amended after the date set forth in paragraph (a) or (b), as applicable, and does not constitute a nuisance for failure to comply with any such law.

4. As used in this section:

(a) "Board of health" has the meaning ascribed to it in [NRS 439.4797](#).

(b) "Controlled substance analog" has the meaning ascribed to it in [NRS 453.043](#).

(c) "Criminal gang" has the meaning ascribed to it in [NRS 193.168](#).

(d) "Immediate precursor" has the meaning ascribed to it in [NRS 453.086](#).

(e) "Shooting range" means an area designed and used for archery or sport shooting, including, but not limited to, sport shooting that involves the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder or other similar items.

[1911 CPA § 562; RL § 5504; NCL § 9051]—(NRS A 1985, 873; [1997, 951, 1471, 1472](#); [2007, 3128](#); [2009, 825, 1309](#))

NRS 41.0395 Person from whom firearm is unlawfully confiscated may commence action against State or political subdivision responsible for confiscation; court in which action may be commenced; court shall award attorney's fees and costs.

1. A person from whom a **firearm** is confiscated in violation of [NRS 414.155](#) may seek relief in a suit, action or other proceeding at law or in equity, including, without limitation, an action for the return of the **firearm**, against:

(a) The State of Nevada or a political subdivision thereof; and

(b) The officer or employee of the State or a political subdivision thereof or worker who confiscated or authorized the confiscation of the firearm.

2. The proceeding may be commenced in a court of competent jurisdiction in the county in which:

(a) The person bringing the proceeding resides; or

(b) The firearm may be found.

3. If a person who brings a proceeding pursuant to this section prevails, the court shall award the person, in addition to any other remedy provided by law, reasonable attorney's fees and costs.

4. As used in this section:

(a) "Firearm" has the meaning ascribed to it in [NRS 414.0355](#).

(b) "Worker" has the meaning ascribed to it in [NRS 414.110](#).

(Added to NRS by [2007, 359](#))

NRS 41.095 Presumption that person using deadly force against intruder in person's residence has reasonable fear of death or bodily injury; "residence" defined.

1. For the purposes of [NRS 41.085](#) and [41.130](#), any person who uses, while lawfully in his or her residence or in transient lodging, force which is intended or likely to cause death or bodily injury is presumed to have had a reasonable fear of imminent death or bodily injury to himself or herself or another person lawfully in the residence or transient lodging if the force is used against a person who is committing burglary or invasion of the home and the person using the force knew or had reason to believe that burglary or invasion of the home was being committed. An action to recover damages for personal injuries to or the wrongful death of the person who committed burglary or invasion of the home may not be maintained against the person who used such force unless the presumption is overcome by clear and convincing evidence to the contrary.

2. As used in this section, "residence" means any house, room, apartment, tenement or other building, vehicle, vehicle trailer, semitrailer, house trailer or boat designed or intended for occupancy as a residence.

(Added to NRS by [1989, 1798](#))

NRS 41.131 Limitation on basis of liability of manufacturers and distributors of firearms and ammunition.

1. No person has a cause of action against the manufacturer or distributor of any **firearm or ammunition** merely because the **firearm or ammunition** was capable of causing serious injury, damage or death, was discharged and proximately caused serious injury, damage or death. This subsection is declaratory and not in derogation of the common law.

2. This section does not affect a cause of action based upon a defect in design or production. The capability of a **firearm or ammunition** to cause serious injury, damage or death when discharged does not make the product defective in design.

(Added to NRS by 1985, 1469)

NRS 41.472 Imposition of liability for minor's negligence or willful misconduct regarding firearm.

1. If a parent, guardian or other person legally responsible for a minor under the age of 18 years:

(a) Knows that the minor has previously been adjudicated delinquent or has been convicted of a criminal offense;

(b) Knows that the minor has a propensity to commit violent acts; or

(c) Knows or has reason to know that the minor intends to use the firearm for unlawful purposes,

→ and permits the minor to use or possess a firearm, any negligence or willful misconduct of the minor in connection with such use or possession is imputed to the person who permits such use or possession for all purposes of civil damages, and, notwithstanding the provisions of subsection 2 of [NRS 41.470](#), that person is jointly and severally liable with the minor for any and all damages caused by such negligence or willful misconduct.

2. As used in this section, "firearm" has the meaning ascribed to it in [NRS 202.253](#).

(Added to NRS by 1995, 1149)

NRS 62B.330 Child alleged or adjudicated to have committed delinquent act; acts deemed not to be delinquent.

1. Except as otherwise provided in this title, the juvenile court has exclusive original jurisdiction over a child living or found within the county who is alleged or adjudicated to have committed a delinquent act.

2. For the purposes of this section, a child commits a delinquent act if the child:

(a) Violates a county or municipal ordinance;

(b) Violates any rule or regulation having the force of law; or

(c) Commits an act designated a criminal offense pursuant to the laws of the State of Nevada.

3. For the purposes of this section, each of the following acts shall be deemed not to be a delinquent act, and the juvenile court does not have jurisdiction over a person who is charged with committing such an act:

- (a) Murder or attempted murder and any other related offense arising out of the same facts as the murder or attempted murder, regardless of the nature of the related offense.
- (b) Sexual assault or attempted sexual assault involving the use or threatened use of force or violence against the victim and any other related offense arising out of the same facts as the sexual assault or attempted sexual assault, regardless of the nature of the related offense, if:
 - (1) The person was 16 years of age or older when the sexual assault or attempted sexual assault was committed; and
 - (2) Before the sexual assault or attempted sexual assault was committed, the person previously had been adjudicated delinquent for an act that would have been a felony if committed by an adult.
- (c) An offense or attempted offense involving the use or threatened use of a firearm and any other related offense arising out of the same facts as the offense or attempted offense involving the use or threatened use of a firearm, regardless of the nature of the related offense, if:
 - (1) The person was 16 years of age or older when the offense or attempted offense involving the use or threatened use of a firearm was committed; and
 - (2) Before the offense or attempted offense involving the use or threatened use of a firearm was committed, the person previously had been adjudicated delinquent for an act that would have been a felony if committed by an adult.
- (d) A felony resulting in death or substantial bodily harm to the victim and any other related offense arising out of the same facts as the felony, regardless of the nature of the related offense, if:
 - (1) The felony was committed on the property of a public or private school when pupils or employees of the school were present or may have been present, at an activity sponsored by a public or private school or on a school bus while the bus was engaged in its official duties; and
 - (2) The person intended to create a great risk of death or substantial bodily harm to more than one person by means of a weapon, device or course of action that would normally be hazardous to the lives of more than one person.
- (e) A category A or B felony and any other related offense arising out of the same facts as the category A or B felony, regardless of the nature of the related offense, if the person was at least 16 years of age but less than 18 years of age when the offense was committed, and:
 - (1) The person is not identified by law enforcement as having committed the offense and charged before the person is at least 20 years, 3 months of age, but less than 21 years of age; or
 - (2) The person is not identified by law enforcement as having committed the offense until the person reaches 21 years of age.
- (f) Any other offense if, before the offense was committed, the person previously had been convicted of a criminal offense.

(Added to NRS by [2003, 1029](#); A [2009, 50](#))

NRS 62B.390 Certification of child for criminal proceedings as adult.

1. Except as otherwise provided in subsection 2 and [NRS 62B.400](#), upon a motion by the district attorney and after a full investigation, the juvenile court may certify a child for proper criminal proceedings as an adult to any court that would have jurisdiction to try the offense if committed by an adult, if the child:
 - (a) Is charged with an offense that would have been a felony if committed by an adult; and
 - (b) Was 14 years of age or older at the time the child allegedly committed the offense.
2. Except as otherwise provided in subsection 3, upon a motion by the district attorney and after a full investigation, the juvenile court shall certify a child for proper criminal proceedings as an adult to any court that would have jurisdiction to try the offense if committed by an adult, if the child:
 - (a) Is charged with:
 - (1) A sexual assault involving the use or threatened use of force or violence against the victim; or
 - (2) An offense or attempted offense involving the use or threatened use of a firearm; and
 - (b) Was 16 years of age or older at the time the child allegedly committed the offense.
3. The juvenile court shall not certify a child for criminal proceedings as an adult pursuant to subsection 2 if the juvenile court specifically finds by clear and convincing evidence that:
 - (a) The child is developmentally or mentally incompetent to understand the situation and the proceedings of the court or to aid the child's attorney in those proceedings; or
 - (b) The child has substance abuse or emotional or behavioral problems and the substance abuse or emotional or behavioral problems may be appropriately treated through the jurisdiction of the juvenile court.
4. If a child is certified for criminal proceedings as an adult pursuant to subsection 1 or 2, the juvenile court shall also certify the child for criminal proceedings as an adult for any other related offense arising out of the same facts as the offense for which the child was certified, regardless of the nature of the related offense.

5. If a child has been certified for criminal proceedings as an adult pursuant to subsection 1 or 2 and the child's case has been transferred out of the juvenile court:

(a) The court to which the case has been transferred has original jurisdiction over the child;

(b) The child may petition for transfer of the case back to the juvenile court only upon a showing of exceptional circumstances; and

(c) If the child's case is transferred back to the juvenile court, the juvenile court shall determine whether the exceptional circumstances warrant accepting jurisdiction.

(Added to NRS by [2003, 1030](#); A [2003, 1511](#); [2009, 238](#))

NRS 62C.060 Custody and detention of child alleged to have committed offense involving firearm; conditions and limitations on release of child; test of child for use of controlled substances; evaluation of child by qualified professional; immunity for statements made during evaluation. [Effective through February 29, 2012.]

1. If a peace officer or probation officer has probable cause to believe that a child is committing or has committed an unlawful act that involves the possession, use or threatened use of a firearm, the officer shall take the child into custody.

2. If a child is taken into custody for an unlawful act described in this section, the child must not be released before a detention hearing is held pursuant to [NRS 62C.040](#).

3. At the detention hearing, the juvenile court shall, if the child was taken into custody for:

(a) Carrying or possessing a firearm while on the property of the Nevada System of Higher Education, a private or public school or child care facility, or while in a vehicle of a private or public school or child care facility, order the child to:

(1) Be evaluated by a qualified professional; and

(2) Submit to a test to determine whether the child is using any controlled substance.

(b) Committing an unlawful act involving a firearm other than the act described in paragraph (a), determine whether to order the child to be evaluated by a qualified professional.

4. If the juvenile court orders the child to be evaluated by a qualified professional or to submit to a test to determine whether the child is using any controlled substance, the evaluation or the results from the test must be completed not later than 14 days after the detention hearing. Until the evaluation or the test is completed, the child must be:

(a) Detained at a facility for the detention of children; or

(b) Placed under a program of supervision in the home of the child that may include electronic surveillance of the child.

5. If a child is evaluated by a qualified professional pursuant to this section, the statements made by the child to the qualified professional during the evaluation and any evidence directly or indirectly derived from those statements may not be used for any purpose in a proceeding which is conducted to prove that the child committed a delinquent act or criminal offense. The provisions of this subsection do not prohibit the district attorney from proving that the child committed a delinquent act or criminal offense based upon evidence obtained from sources or by means that are independent of the statements made by the child to the qualified professional during the evaluation.

6. As used in this section, "child care facility" has the meaning ascribed to it in paragraph (a) of subsection 5 of [NRS 202.265](#).

(Added to NRS by [2003, 1057](#); A [2007, 1915](#))

NRS 62C.060 Custody and detention of child alleged to have committed offense involving firearm; conditions and limitations on release of child; test of child for use of controlled substances; evaluation of child by qualified professional; immunity for statements made during evaluation. [Effective March 1, 2012.]

1. If a child is taken into custody for an unlawful act that involves the possession, use or threatened use of a firearm, the child must not be released before a detention hearing is held pursuant to [NRS 62C.040](#).

2. At the detention hearing, the juvenile court shall, if the child was taken into custody for:

(a) Carrying or possessing a firearm while on the property of the Nevada System of Higher Education, a private or public school or child care facility, or while in a vehicle of a private or public school or child care facility, order the child to:

(1) Be evaluated by a qualified professional; and

(2) Submit to a test to determine whether the child is using any controlled substance.

(b) Committing an unlawful act involving a firearm other than the act described in paragraph (a), determine whether to order the child to be evaluated by a qualified professional.

3. If the juvenile court orders the child to be evaluated by a qualified professional or to submit to a test to determine whether the child is using any controlled substance, the evaluation or the results from the test must be completed not later than 14 days after the detention hearing. Until the evaluation or the test is completed, the child must be:

(a) Detained at a facility for the detention of children; or

(b) Placed under a program of supervision in the home of the child that may include electronic surveillance of the child.

4. If a child is evaluated by a qualified professional pursuant to this section, the statements made by the child to the qualified professional during the evaluation and any evidence directly or indirectly derived from those statements may not be used for any purpose in a proceeding which is conducted to prove that the child committed a delinquent act or criminal offense. The provisions of this subsection do not prohibit the district attorney from proving that the child committed a delinquent act or criminal offense based upon evidence obtained from sources or by means that are independent of the statements made by the child to the qualified professional during the evaluation.

5. As used in this section, "child care facility" has the meaning ascribed to it in paragraph (a) of subsection 5 of [NRS 202.265](#).

(Added to NRS by [2003, 1057](#); A [2007, 1915](#); [2011, 599](#), effective March 1, 2012)

NRS 62E.650 Certain acts involving firearm: Community service; suspension or delay in issuance of driver's license.

1. If a child is adjudicated delinquent because the [child handled or possessed a firearm or had a firearm under his or her control in violation of NRS 202.300](#), the juvenile court shall:

(a) For the first offense:

(1) Order the child to perform 200 hours of community service; and

(2) Issue an order suspending the driver's license of the child for not more than 1 year or, if the child does not possess a driver's license, prohibit the child from receiving a driver's license for not more than 1 year:

(I) Immediately following the date of the order, if the child is eligible to receive a driver's license.

(II) After the date the child becomes eligible to receive a driver's license, if the child is not eligible to receive a license on the date of the order.

(b) For the second offense:

(1) Order the child to perform at least 200 hours but not more than 600 hours of community service; and

(2) Issue an order suspending the driver's license of the child for at least 90 days but not more than 2 years or, if the child does not possess a driver's license, prohibit the child from receiving a driver's license for at least 90 days but not more than 2 years:

(I) Immediately following the date of the order, if the child is eligible to receive a driver's license.

(II) After the date the child becomes eligible to receive a driver's license, if the child is not eligible to receive a license on the date of the order.

2. If the child is already the subject of a court order suspending or delaying the issuance of the driver's license of the child, the juvenile court shall order an additional suspension or delay, as appropriate, to apply consecutively with the previous order.

(Added to NRS by [2003, 1075](#))

NRS 62E.660 Certain acts involving firearm: Revocation of and prohibition from receiving license to hunt. If a child is adjudicated delinquent because [the child handled or possessed a firearm or had a firearm under his or her control in violation of NRS 202.300](#), the juvenile court shall:

1. Order that any license to hunt issued to the child pursuant to [chapter 502](#) of NRS must be revoked by the Department of Wildlife;

2. Order that the child must not receive a license to hunt within the 2 years immediately following the date of the order or until the child is 18 years of age, whichever is later;

3. Order the child to surrender to the juvenile court any license to hunt then held by the child; and

4. Not later than 5 days after issuing the order, forward to the Department of Wildlife any license to hunt surrendered by the child and a copy of the order.

(Added to NRS by [2003, 1076](#); A [2003, 1558](#))

NRS 62E.670 Act involving use of firearm or use or threatened use of force or violence: Effect on disposition.

1. In determining the appropriate disposition of a case of a delinquent child, the juvenile court shall consider whether the unlawful act [committed by the child involved the use of a firearm or the use or threatened use of force or violence against the victim of the act.](#)

2. If the juvenile court finds that the act committed by the child involved the use of a firearm or the use or threatened use of force or violence against the victim, the juvenile court shall include the finding in its order and may:

- (a) Commit the child for confinement in a secure facility for the detention of children, including a facility which is secured by its staff.
- (b) Impose any other punitive measures that the juvenile court determines to be in the best interests of the public or the child.

(Added to NRS by [2003, 1076](#))

NRS 62H.010 Fingerprinting or photographing of child who is in custody; conditions and limitations on use and retention of fingerprints and photographs; penalty.

1. The fingerprints of a child must be taken if the child is in custody for an unlawful act that, if committed by an adult, would have been:

- (a) A felony, gross misdemeanor or sexual offense; or
- (b) A misdemeanor and the unlawful act involved:

- (1) The use or threatened use of force or violence against the victim; or
- (2) **The possession, use or threatened use of a firearm** or a deadly weapon.

2. The fingerprints of a child who is in custody but who is not subject to the provisions of subsection 1 may be taken if a law enforcement officer finds latent fingerprints during the investigation of an offense and the officer has reason to believe that the latent fingerprints are those of the child. The officer shall use the fingerprints taken from the child to make an immediate comparison with the latent fingerprints. If the comparison is:

(a) Negative, the fingerprint card and other copies of the fingerprints taken may be immediately destroyed or may be retained for future use.

(b) Positive, the fingerprint card and other copies of the fingerprints:

- (1) Must be delivered to the juvenile court for disposition if the child is referred to the juvenile court.
- (2) May be immediately destroyed or may be retained for future use if the child is not referred to the juvenile court.

3. Fingerprints that are taken from a child pursuant to the provisions of this section:

(a) May be retained in a local file or a local system for the automatic retrieval of fingerprints if they are retained under special security measures that limit inspection of the fingerprints to law enforcement officers who are conducting criminal investigations. If the child from whom the fingerprints are taken subsequently is not adjudicated delinquent, the parent or guardian of the child or, when the child becomes at least 18 years of age, the child may petition the juvenile court for the removal of the fingerprints from any local file or local system.

(b) Must be submitted to the Central Repository if the child is adjudicated delinquent for an unlawful act that would have been a felony or a sexual offense if committed by an adult, and may be submitted to the Central Repository for any other act. Any such fingerprints submitted to the Central Repository must be submitted with a description of the child and the unlawful act, if any, that the child committed. The Central Repository shall retain the fingerprints and information of the child under special security measures that limit inspection of the fingerprints and the information to:

- (1) Law enforcement officers who are conducting criminal investigations; and
- (2) Officers and employees of the Central Repository who are assisting law enforcement officers with criminal investigations or who are conducting research or performing a statistical analysis.
- (c) Must not be submitted to the Federal Bureau of Investigation unless the child is adjudicated delinquent for an unlawful act that would have been a felony or a sexual offense if committed by an adult.

4. A child who is in custody must be photographed for the purpose of identification. Except as otherwise provided in this subsection, the photographs of the child must be kept in the file pertaining to the child under special security measures which provide that the photographs may be inspected only to conduct criminal investigations and photographic lineups. If the juvenile court subsequently determines that the child is not delinquent, the juvenile court shall order the photographs to be destroyed.

5. Any person who willfully violates any provision of this section is guilty of a misdemeanor.

6. As used in this section, "sexual offense" means:

- (a) Sexual assault pursuant to [NRS 200.366](#);
- (b) Statutory sexual seduction pursuant to [NRS 200.368](#);
- (c) Battery with intent to commit sexual assault pursuant to [NRS 200.400](#);
- (d) An offense involving pornography and a minor pursuant to [NRS 200.710](#) to [200.730](#), inclusive;
- (e) Incest pursuant to [NRS 201.180](#);
- (f) Solicitation of a minor to engage in acts constituting the infamous crime against nature pursuant to [NRS 201.195](#);
- (g) Open or gross lewdness pursuant to [NRS 201.210](#);

- (h) Indecent or obscene exposure pursuant to [NRS 201.220](#);
 - (i) Lewdness with a child pursuant to [NRS 201.230](#);
 - (j) Sexual penetration of a dead human body pursuant to [NRS 201.450](#);
 - (k) Luring a child or person with mental illness pursuant to [NRS 201.560](#), if punishable as a felony;
 - (l) An attempt to commit an offense listed in paragraphs (a) to (k), inclusive; or
 - (m) An offense that is determined to be sexually motivated pursuant to [NRS 175.547](#).
- (Added to NRS by [2003, 1088](#); A [2003, 1379](#))

NRS 108.4744 “Protected property” defined. “Protected property” means personal property, the sale of which or prohibition against the sale of which is regulated by state or federal law. The term includes, without limitation:

1. Documents, film or electronic data that contain personal information, such as social security numbers, credit or debit card information, bank account information, passport information and medical or legal records relating to clients, customers, patients or others in connection with an occupant’s business.
2. Pharmaceuticals other than those dispensed by a licensed pharmacy for use by an occupant.
3. Alcoholic beverages.
4. **Firearms.** (Added to NRS by [2011, 1824](#))

NRS 108.4763 Owner’s remedies upon nonpayment of charges; notice of sale; limit on earliest time for sale; disposal of protected property.

1. After the notice of the lien is mailed by the owner, if the occupant fails to pay the total amount due by the date specified in the notice, the owner may:
 - (a) Deny the occupant access to the storage space.
 - (b) Enter the storage space and remove the personal property within it to a safe place.
 - (c) **Dispose of, but may not sell, any protected property contained in the storage space in accordance with the provisions of subsection 5 if the owner has actual knowledge of such protected property. If the owner disposes of the protected property in accordance with the provisions of subsection 5, the owner is not liable to the occupant or any other person who claims an interest in the protected property.**
 - (d) If the personal property upon which the lien is claimed is a motor vehicle, boat or personal watercraft, and rent and other charges related to such property remain unpaid or unsatisfied for 60 days, have the property towed by any tow car operator subject to the jurisdiction of the Nevada Transportation Authority. If a motor vehicle, boat or personal watercraft is towed pursuant to this paragraph, the owner is not liable for any damages to such property once the tow car operator takes possession of the motor vehicle, boat or personal watercraft.
2. The owner shall send to the occupant a notice of a sale to satisfy the lien by verified mail at the last known address of the occupant and at the alternative address provided by the occupant in the rental agreement at least 14 days before the sale. The owner shall also send such notice to the occupant by electronic mail at the last known electronic mail address of the occupant, if any. The notice must contain:
 - (a) A statement that the occupant may no longer use the storage space and no longer has access to the occupant’s personal property stored therein;
 - (b) A statement that the personal property of the occupant is subject to a lien and the amount of the lien;
 - (c) A statement that the personal property will be sold or disposed of to satisfy the lien on a date specified in the notice, unless the total amount of the lien is paid or the occupant executes and returns by verified mail, the declaration in opposition to the sale; and
 - (d) A statement of the provisions of subsection 3.
3. Proceeds of the sale over the amount of the lien and the costs of the sale must be retained by the owner and may be reclaimed by the occupant or the occupant’s authorized representative at any time up to 1 year from the date of the sale.
4. The notice of the sale must also contain a blank copy of a declaration in opposition to the sale to be executed by the occupant if the occupant wishes to do so.
5. **The owner may dispose of protected property contained in the storage space by taking the following actions, in the following order of priority, until the protected property is disposed of:**
 - (a) **Contacting the occupant and returning the protected property to the occupant.**
 - (b) **Contacting the secondary contact listed by the occupant in the rental agreement and returning the protected property to the secondary contact.**
 - (c) **Contacting any appropriate state or federal authorities, including, without limitation, any appropriate governmental agency, board or commission listed by the occupant in the rental agreement pursuant to [NRS](#)**

[108.4755](#), ascertaining whether such authorities will accept the protected property and, if such authorities will accept the protected property, ensuring that the protected property is delivered to such authorities.

(d) Destroying the protected property in an appropriate manner which is authorized by law and which ensures that any confidential information contained in the protected property is completely obliterated and may not be examined or accessed by the public.

(Added to NRS by 1983, 1667; A 1985, 239; [2011, 1827](#))

NRS 159.0593 Determination of whether proposed ward is prohibited from possessing firearm under federal law.

1. If the court orders a general guardian appointed for a proposed ward, the court shall determine, by clear and convincing evidence, whether the proposed ward is a person with a mental defect [who is prohibited from possessing a firearm pursuant to 18 U.S.C. § 922\(d\)\(4\) or \(g\)\(4\)](#). If a court makes a finding pursuant to this section that the proposed ward is a person with a mental defect, the court shall include the finding in the order appointing the guardian and [cause a record of the order to be transmitted to the Central Repository for Nevada Records of Criminal History, along with a statement indicating that the record is being transmitted for inclusion in each appropriate database of the National Instant Criminal Background Check System.](#)

2. As used in this section:

(a) [“National Instant Criminal Background Check System” has the meaning ascribed to it in NRS 179A.062.](#)

(b) [“Person with a mental defect” means a person who, as a result of marked subnormal intelligence, mental illness, incompetence, condition or disease, is:](#)

(1) [A danger to himself or herself or others; or](#)

(2) [Lacks the capacity to contract or manage his or her own affairs.](#)

(Added to NRS by [2009, 2490](#))

NRS 171.146 Weapon may be taken from person arrested. Any person making an arrest may take from the person arrested all [dangerous and offensive weapons](#) which the person arrested may have about his or her person.

(Added to NRS by 1967, 1402)

NRS 171.123 Temporary detention by peace officer of person suspected of criminal behavior or of violating conditions of parole or probation: Limitations.

1. Any peace officer may detain any person whom the officer encounters under circumstances which reasonably indicate that the [person has committed, is committing or is about to commit a crime.](#)

2. Any peace officer may detain any person the officer encounters under circumstances which reasonably indicate that the person has violated or is violating the conditions of the person’s parole or probation.

3. The officer may detain the person pursuant to this section only to ascertain the person’s identity and the suspicious circumstances surrounding the person’s presence abroad. [Any person so detained shall identify himself or herself, but may not be compelled to answer any other inquiry of any peace officer.](#)

4. [A person must not be detained longer than is reasonably necessary to effect the purposes of this section, and in no event longer than 60 minutes. The detention must not extend beyond the place or the immediate vicinity of the place where the detention was first effected, unless the person is arrested.](#)

(Added to NRS by 1969, 535; A 1973, 597; 1975, 1200; 1987, 1172; 1995, 2068)

NRS 171.1232 Search to ascertain presence of dangerous weapon; seizure of weapon or evidence.

1. If any peace officer reasonably believes that any person whom the peace officer has detained or is about to detain pursuant to [NRS 171.123](#) is [armed with a dangerous weapon and is a threat to the safety of the peace officer or another, the peace officer may search such person to the extent reasonably necessary to ascertain the presence of such weapon. If the search discloses a weapon or any evidence of a crime, such weapon or evidence may be seized.](#)

2. Nothing seized by a peace officer in any such search is admissible in any proceeding unless the search which disclosed the existence of such evidence is authorized by and conducted in compliance with this section.

(Added to NRS by 1969, 535)

NRS 175.539 Acquittal by reason of insanity: Defendant to be examined; hearing to be held to determine whether defendant is mentally ill; procedure for committing defendant to custody of Division of Mental Health and Developmental Services.

1. Where on a trial a defense of insanity is interposed by the defendant and the defendant is acquitted by reason of that defense, the finding of the jury pending the judicial determination pursuant to subsection 2 has the same effect as if the defendant were regularly adjudged insane, and the judge must:

- (a) Order a peace officer to take the person into protective custody and transport the person to a forensic facility for detention pending a hearing to determine the person's mental health;
 - (b) Order the examination of the person by two psychiatrists, two psychologists, or one psychiatrist and one psychologist who are employed by a division facility; and
 - (c) At a hearing in open court, receive the report of the examining advisers and allow counsel for the State and for the person to examine the advisers, introduce other evidence and cross-examine witnesses.
2. If the court finds, after the hearing:
- (a) That there is not clear and convincing evidence that the person is a person with mental illness, the court must order the person's discharge; or
 - (b) That there is clear and convincing evidence that the person is a person with mental illness, the court must order that the person be committed to the custody of the Administrator of the Division of Mental Health and Developmental Services of the Department of Health and Human Services until the person is discharged or conditionally released therefrom in accordance with [NRS 178.467](#) to [178.471](#), inclusive.
- ↳ The court shall issue its finding within 90 days after the defendant is acquitted.
3. The Administrator shall make the reports and the court shall proceed in the manner provided in [NRS 178.467](#) to [178.471](#), inclusive.
4. If the court accepts a verdict acquitting a defendant by reason of insanity pursuant to this section, the court shall cause, on a form prescribed by the Department of Public Safety, a record of that verdict to be transmitted to the Central Repository for Nevada Records of Criminal History, along with a statement indicating that the record is being transmitted for inclusion in each appropriate database of the [National Instant Criminal Background Check System](#).
5. As used in this section, unless the context otherwise requires:
- (a) "Division facility" has the meaning ascribed to it in [NRS 433.094](#).
 - (b) "Forensic facility" means a secure facility of the Division of Mental Health and Developmental Services of the Department of Health and Human Services for offenders and defendants with mental disorders. The term includes, without limitation, Lakes Crossing Center.
 - (c) "[National Instant Criminal Background Check System](#)" has the meaning ascribed to it in [NRS 179A.062](#).
 - (d) "Person with mental illness" has the meaning ascribed to it in [NRS 178.3986](#).
- (Added to NRS by [2003, 1459](#); A [2007, 1411](#); [2009, 2486](#))

NRS 176.337 Court to notify defendant convicted of domestic violence concerning possession, shipment, transportation or receipt of firearm or ammunition. If a defendant is convicted of a misdemeanor or felony that constitutes domestic violence pursuant to [NRS 33.018](#), the court shall notify the defendant that possession, shipment, transportation or receipt of a [firearm or ammunition](#) by the defendant may constitute a felony pursuant to [NRS 202.360](#) or federal law. (Added to NRS by [2007, 95](#))

NRS 176A.400 Imposition by court; alternative programs or treatment; prohibition on suspending term of imprisonment; placement under supervision of Chief Parole and Probation Officer.

1. In issuing an order granting probation, the court may fix the terms and conditions thereof, including, without limitation:
- (a) A requirement for restitution;
 - (b) [An order that the probationer dispose of all the weapons the probationer possesses; or](#)
 - (c) Any reasonable conditions to protect the health, safety or welfare of the community or to ensure that the probationer will appear at all times and places ordered by the court, including, without limitation:
 - (1) Requiring the probationer to remain in this State or a certain county within this State;
 - (2) Prohibiting the probationer from contacting or attempting to contact a specific person or from causing or attempting to cause another person to contact that person on the probationer's behalf;
 - (3) Prohibiting the probationer from entering a certain geographic area; or
 - (4) Prohibiting the probationer from engaging in specific conduct that may be harmful to the probationer's own health, safety or welfare, or the health, safety or welfare of another person.
2. In issuing an order granting probation to a person who is found guilty of a category C, D or E felony, the court may require the person as a condition of probation to participate in and complete to the satisfaction of the court any alternative program, treatment or activity deemed appropriate by the court.
3. The court shall not suspend the execution of a sentence of imprisonment after the defendant has begun to serve it.
4. In placing any defendant on probation or in granting a defendant a suspended sentence, the court shall direct that the defendant be placed under the supervision of the Chief Parole and Probation Officer.

(Added to NRS by 1991, 2043; A 1995, 1250; [1997, 3357](#))

NRS 178.425 Procedure on finding defendant incompetent.

1. If the court finds the defendant incompetent, and dangerous to himself or herself or to society and that commitment is required for a determination of the defendant's ability to receive treatment to competency and to attain competence, the judge shall order the sheriff to convey the defendant forthwith, together with a copy of the complaint, the commitment and the physicians' certificate, if any, into the custody of the Administrator or the Administrator's designee for detention and treatment at a division facility that is secure. The order may include the involuntary administration of medication if appropriate for treatment to competency.
 2. The defendant must be held in such custody until a court orders the defendant's release or until the defendant is returned for trial or judgment as provided in [NRS 178.450](#), [178.455](#) and [178.460](#).
 3. If the court finds the defendant incompetent but not dangerous to himself or herself or to society, and finds that commitment is not required for a determination of the defendant's ability to receive treatment to competency and to attain competence, the judge shall order the defendant to report to the Administrator or the Administrator's designee as an outpatient for treatment, if it might be beneficial, and for a determination of the defendant's ability to receive treatment to competency and to attain competence. The court may require the defendant to give bail for any periodic appearances before the Administrator or the Administrator's designee.
 4. Except as otherwise provided in subsection 5, proceedings against the defendant must be suspended until the Administrator or the Administrator's designee or, if the defendant is charged with a misdemeanor, the judge finds the defendant capable of standing trial or opposing pronouncement of judgment as provided in [NRS 178.400](#).
 5. Whenever the defendant has been found incompetent, with no substantial probability of attaining competency in the foreseeable future, and released from custody or from obligations as an outpatient pursuant to paragraph (d) of subsection 4 of [NRS 178.460](#), the proceedings against the defendant which were suspended must be dismissed. No new charge arising out of the same circumstances may be brought after a period, equal to the maximum time allowed by law for commencing a criminal action for the crime with which the defendant was charged, has lapsed since the date of the alleged offense.
 6. If a defendant is found incompetent pursuant to this section, the court shall cause, on a form prescribed by the Department of Public Safety, a record of that finding to be transmitted to the Central Repository for Nevada Records of Criminal History, along with a statement indicating that the record is being transmitted for inclusion in each appropriate database of the National Instant Criminal Background Check System.
 7. As used in this section, "National Instant Criminal Background Check System" has the meaning ascribed to it in [NRS 179A.062](#).
- [1911 Cr. Prac. § 540; RL § 7390; NCL § 11188]—(NRS A 1967, 1450; 1968, 52; 1971, 313; 1973, 93, 252, 1406; 1981, 1656; 1991, 1003; [1999, 104](#); [2001, 1084](#); [2003, 1947](#); [2009, 2487](#))

NRS 179.065 Person charged with felony may be searched. When a person charged with a felony is supposed to have on his or **her person a dangerous weapon**, or anything which may be used as evidence of the commission of the offense, the officer making the arrest shall cause the person to be searched, and the **weapon or other thing to be retained, subject to the order of the court in which the defendant may be tried.**

(Added to NRS by 1967, 1459)

NRS 179.1165 Seizure of property: Requirement of process.

1. Except as provided in subsection 2, **property** that is subject to forfeiture may only be seized by a law enforcement agency upon process issued by a magistrate having jurisdiction over the property.
 2. A seizure of property may be made by a law enforcement agency without process if:
 - (a) The seizure is incident to:
 - (1) An arrest;
 - (2) A search pursuant to a search warrant; or
 - (3) An inspection pursuant to a warrant for an administrative inspection;
 - (b) The property is the subject of a final judgment in a proceeding for forfeiture;
 - (c) The law enforcement agency has probable cause to believe that the property is directly or indirectly dangerous to health or safety; or
 - (d) The law enforcement agency has probable cause to believe that the property is subject to forfeiture.
- (Added to NRS by 1985, 1466; A 1987, 1382)

NRS 179.118 Distribution of proceeds from forfeited property.

1. The proceeds from any sale or retention of property declared to be forfeited and any interest accrued pursuant to subsection 2 of [NRS 179.1175](#) must be applied, first, to the satisfaction of any protected interest established by a claimant in the proceeding, then to the proper expenses of the proceeding for forfeiture and resulting sale, including the expense of effecting the seizure, the expense of maintaining custody, the expense of advertising and the costs of the suit.

2. Any balance remaining after the distribution required by subsection 1 must be deposited as follows:

(a) Except as otherwise provided in this subsection, if the plaintiff seized the property, in the special account established pursuant to [NRS 179.1187](#) by the governing body that controls the plaintiff.

(b) Except as otherwise provided in this subsection, if the plaintiff is a metropolitan police department, in the special account established by the Metropolitan Police Committee on Fiscal Affairs pursuant to [NRS 179.1187](#).

(c) Except as otherwise provided in this subsection, if more than one agency was substantially involved in the seizure, in an equitable manner to be directed by the court hearing the proceeding for forfeiture.

(d) If the property was seized pursuant to [NRS 200.760](#), in the State Treasury for credit to the Fund for the Compensation of Victims of Crime to be used for the counseling and the medical treatment of victims of crimes committed in violation of [NRS 200.366](#), [200.710](#) to [200.730](#), inclusive, or [201.230](#).

(e) If the property was seized as the result of a violation of [NRS 202.300](#), in the general fund of the county in which the complaint for forfeiture was filed, to be used to support programs of counseling of persons ordered by the court to attend counseling pursuant to [NRS 62E.290](#).

(f) If the property was forfeited pursuant to [NRS 201.351](#), with the county treasurer to be distributed in accordance with the provisions of subsection 4 of [NRS 201.351](#).

(Added to NRS by 1985, 1467; A 1987, 1383; 1989, 1789; 1995, 1150; [1997, 1599](#); [2001, 875](#); [2003, 1120](#); [2009, 575](#))

NRS 179.119 Reports by law enforcement agencies that receive forfeited property or related proceeds; inclusion of such anticipated revenue in budget prohibited.

1. Any law enforcement agency that receives forfeited property or the proceeds of a sale of such property pursuant to the provisions contained in [NRS 179.1156](#) to [179.119](#), inclusive, shall:

(a) File a quarterly report of the approximate value of the property and the amount of the proceeds with the entity that controls the budget of the agency; and

(b) Provide the entity that controls the budget of the agency with a quarterly accounting of the receipt and use of the proceeds.

2. Revenue from forfeitures must not be considered in the preparation of the budget of a law enforcement agency except as money to match money from the Federal Government.

(Added to NRS by 1985, 1468; A 1987, 1384; 1989, 1790; [2003, 2529](#))

NRS 179.121 Forfeiture of personal property and conveyances used in commission of crime.

1. All personal property, including, without limitation, any tool, substance, **weapon**, machine, computer, money or security, which is used as an instrumentality in any of the following crimes is subject to forfeiture:

(a) The commission of or attempted commission of the crime of murder, robbery, kidnapping, burglary, invasion of the home, grand larceny or theft if it is punishable as a felony;

(b) The commission of or attempted commission of any felony with the intent to commit, cause, aid, further or conceal an act of terrorism;

(c) A violation of [NRS 202.445](#) or [202.446](#);

(d) The commission of any crime by a criminal gang, as defined in [NRS 213.1263](#); or

(e) A violation of [NRS 200.463](#) to [200.468](#), inclusive, [201.300](#) to [201.340](#), inclusive, [202.265](#) (school), [202.287](#), (discharge) [205.473](#) to [205.513](#), inclusive, [205.610](#) to [205.810](#), inclusive, [370.380](#), [370.382](#), [370.395](#), [370.405](#) or [465.070](#) to [465.085](#), inclusive.

2. Except as otherwise provided for conveyances forfeitable pursuant to [NRS 453.301](#) or [501.3857](#), all conveyances, including aircraft, vehicles or vessels, which are used or intended for use during the commission of a felony or a violation of [NRS 202.287](#) (discharge), [202.300](#) (under 18) or [465.070](#) to [465.085](#), inclusive, are subject to forfeiture except that:

(a) A conveyance used by any person as a common carrier in the transaction of business as a common carrier is not subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to the felony or violation;

- (b) A conveyance is not subject to forfeiture under this section by reason of any act or omission established by the owner thereof to have been committed or omitted without the owner's knowledge, consent or willful blindness;
- (c) A conveyance is not subject to forfeiture for a violation of [NRS 202.300](#) if the **firearm** used in the violation of that section was **not loaded** at the time of the violation; and
- (d) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had knowledge of nor consented to the felony. If a conveyance is forfeited, the appropriate law enforcement agency may pay the existing balance and retain the conveyance for official use.

3. For the purposes of this section, a firearm is loaded if:

- (a) There is a cartridge in the chamber of the firearm;
- (b) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver; or
- (c) There is a cartridge in the magazine and the magazine is in the firearm or there is a cartridge in the chamber, if the firearm is a semiautomatic firearm.

4. As used in this section, "act of terrorism" has the meaning ascribed to it in [NRS 202.4415](#).

(Added to NRS by 1983, 1135; A 1985, 638, 1239; 1989, 656, 1187, 1188, 1241, 1242, 1453; 1991, 210, 2287, 2288; 1995, 1150, 1424; [1997, 639](#); [1999, 2711](#); [2003, 2952](#); [2005, 90](#), [1199](#); [2007, 1269](#); [2009, 575](#))

NRS 179.165 Notice must be provided by law enforcement agency to owner, pawnbroker and other interested persons; contents of notice; sale or disposal of unclaimed property by county treasurer; records.

1. Except as otherwise provided in subsections 2 and 3, a law enforcement agency which has custody of **property that has been stolen** or embezzled shall, if the agency knows or can reasonably discover the name and address of the owner or the person entitled to possession of the property, notify the owner or the person entitled to possession of the property by letter of the location of the property and the method by which the owner or the person entitled to possession of the property may claim it.

2. **If the property that has been stolen or embezzled is a firearm, the law enforcement agency shall notify only the owner of the firearm of the location of the property and the method by which the owner may claim it.**

3. If the property that has been stolen or embezzled was obtained from a pawnbroker pursuant to [NRS 646.047](#), the law enforcement agency shall, in addition to notifying the persons described in subsection 1 or 2, as appropriate, notify the pawnbroker from whom it was obtained.

4. The notice must be mailed by certified or registered mail:

- (a) Upon the conviction of the person who committed the offense;
- (b) Upon the decision of the police or district attorney not to pursue or prosecute the case; or
- (c) When the case is otherwise terminated.

5. If the property stolen or embezzled is not claimed by the owner or the person entitled to possession of the property before the expiration of 6 months after the date the notice is mailed or, if no notice is required, after the date notice would have been sent if it were required, the magistrate or other officer having it in custody shall, except as otherwise provided in this subsection, on payment of the necessary expenses incurred for its preservation, deliver it to the county treasurer, who shall dispose of the property as provided in subsection 6. If a metropolitan police department which is organized pursuant to [chapter 280](#) of NRS has custody of the property, the sheriff of the department may deliver it to the county treasurer and accept the net proceeds, if any, from the disposition of the property pursuant to subsection 6 in lieu of the payment of expenses incurred for the property's preservation.

6. Upon receiving stolen or embezzled property pursuant to this section, the county treasurer shall petition the district court for an order authorizing the county treasurer to:

- (a) Conduct an auction for the disposal of salable property;
- (b) Dispose of property not deemed salable by donations to charitable organizations or by destruction;
- (c) Destroy property the possession of which is deemed illegal or dangerous; or
- (d) Dispose of property not purchased at an auction by donations to charitable organizations or by destruction.

7. Records of the property disposed of by sale, destruction or donation and an accounting of the cash received by the county treasurer from the sales must be filed with the county clerk.

(Added to NRS by 1967, 1461; A 1973, 565; 1989, 382; [1999, 753](#))

NRS 179.285 Order sealing records: Effect; proceedings deemed never to have occurred; restoration of civil rights. Except as otherwise provided in [NRS 179.301](#):

1. If the court orders a record sealed pursuant to [NRS 176A.265](#), [176A.295](#), [179.245](#), [179.255](#), [179.259](#), [453.3365](#) or [458.330](#):

- (a) All proceedings recounted in the record are deemed never to have occurred, and the person to whom the order pertains may properly answer accordingly to any inquiry, including, without limitation, an inquiry relating to an

application for employment, concerning the arrest, conviction, dismissal or acquittal and the events and proceedings relating to the arrest, conviction, dismissal or acquittal.

(b) The person is immediately restored to the following civil rights if the person's civil rights previously have not been restored:

- (1) The right to vote;
- (2) The right to hold office; and
- (3) The right to serve on a jury.

2. Upon the sealing of the person's records, a person who is restored to his or her civil rights pursuant to subsection 1 must be given:

(a) An official document which demonstrates that the person has been restored to the civil rights set forth in paragraph (b) of subsection 1; and

(b) A written notice informing the person that he or she has not been restored to the right to bear arms, unless the person has received a pardon and the pardon does not restrict his or her right to bear arms.

3. A person who has had his or her records sealed in this State or any other state and whose official documentation of the restoration of civil rights is lost, damaged or destroyed may file a written request with a court of competent jurisdiction to restore his or her civil rights pursuant to this section. Upon verification that the person has had his or her records sealed, the court shall issue an order restoring the person to the civil rights to vote, to hold office and to serve on a jury. A person must not be required to pay a fee to receive such an order.

4. A person who has had his or her records sealed in this State or any other state may present official documentation that the person has been restored to his or her civil rights or a court order restoring civil rights as proof that the person has been restored to the right to vote, to hold office and to serve as a juror.

(Added to NRS by 1971, 956; A 1981, 1105; 1991, 304; [2001, 1169, 1694](#); [2001 Special Session, 262](#); [2003, 312, 316, 319, 2687](#); [2009, 108, 420](#); [2011, 22](#))

NRS 179A.062 “National Instant Criminal Background Check System” defined. “National Instant Criminal Background Check System” means the national system created by the federal [Brady Handgun Violence Prevention Act, Public Law 103-159](#).

(Added to NRS by [2009, 2488](#))

NRS 179A.163 Transmittal of mental health information to National Instant Criminal Background Check System; person who is subject of record may petition; removal of information; action to compel.

1. Upon receiving a record transmitted pursuant to [NRS 159.0593, 174.035, 175.533, 175.539, 178.425](#) or [433A.310](#), the Central Repository shall take reasonable steps to ensure that the information reported in the record is included in each appropriate database of the [National Instant Criminal Background Check System](#).

2. Except as otherwise provided in subsection 3, if the Central Repository receives a record described in subsection 1, the person who is the subject of the record may petition the court for an order declaring that:

(a) The basis for the adjudication reported in the record no longer exists;

(b) The adjudication reported in the record is deemed not to have occurred for purposes of 18 U.S.C. § 922(d)(4) and (g)(4) and [NRS 202.360](#); and

(c) The information reported in the record must be removed from the [National Instant Criminal Background Check System](#).

3. To the extent authorized by federal law, if the record concerning the petitioner was transmitted to the Central Repository pursuant to [NRS 159.0593, 174.035, 175.533, 175.539, 178.425](#) or [433A.310](#), the petitioner may not file a petition pursuant to subsection 2 until 3 years after the date of the order transmitting the record to the Central Repository.

4. A petition filed pursuant to subsection 2 must be:

(a) Filed in the court which made the adjudication or finding pursuant to [NRS 159.0593, 174.035, 175.533, 175.539, 178.425](#) or [433A.310](#); and

(b) Served upon the district attorney for the county in which the court described in paragraph (a) is located.

5. The Nevada Rules of Civil Procedure govern all proceedings concerning a petition filed pursuant to subsection 2.

6. The court shall grant the petition and issue the order described in subsection 2 if the court finds that the petitioner has established that:

(a) The basis for the adjudication or finding made pursuant to [NRS 159.0593, 174.035, 175.533, 175.539, 178.425](#) or [433A.310](#) concerning the petitioner no longer exists;

(b) The petitioner's record and reputation indicate that the petitioner is not likely to act in a manner dangerous to public safety; and

- (c) Granting the relief requested by the petitioner pursuant to subsection 2 is not contrary to the public interest.
7. Except as otherwise provided in this subsection, the petitioner must establish the provisions of subsection 6 by a preponderance of the evidence. If the adjudication or finding concerning the petitioner was made pursuant to [NRS 159.0593](#) or [433A.310](#), the petitioner must establish the provisions of subsection 6 by clear and convincing evidence.
8. The court, upon entering an order pursuant to this section, shall cause, on a form prescribed by the Department of Public Safety, a record of the order to be transmitted to the Central Repository.
9. Within 5 business days after receiving a record of an order transmitted pursuant to subsection 8, the Central Repository shall take reasonable steps to ensure that information concerning the adjudication or finding made pursuant to [NRS 159.0593](#), [174.035](#), [175.533](#), [175.539](#), [178.425](#) or [433A.310](#) is removed from the National Instant Criminal Background Check System.
10. If the Central Repository fails to remove a record as provided in subsection 9, the petitioner may bring an action to compel the removal of the record. If the petitioner prevails in the action, the court may award the petitioner reasonable attorney's fees and costs incurred in bringing the action.
11. If a petition brought pursuant to subsection 2 is denied, the person who is the subject of the record may petition for a rehearing not sooner than 2 years after the date of the denial of the petition. (Added to NRS by [2009, 2488](#))

NRS 193.163 Additional penalty: Use of handgun containing metal-penetrating bullet in commission of crime.

1. Except as otherwise provided in [NRS 193.169](#), any person who uses a handgun containing a metal-penetrating bullet in the commission of a crime shall, in addition to the term of imprisonment prescribed by statute for the crime, be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. In determining the length of the additional penalty imposed, the court shall consider the following information:
- (a) The facts and circumstances of the crime;
 - (b) The criminal history of the person;
 - (c) The impact of the crime on any victim;
 - (d) Any mitigating factors presented by the person; and
 - (e) Any other relevant information.
- The court shall state on the record that it has considered the information described in paragraphs (a) to (e), inclusive, in determining the length of the additional penalty imposed.
2. The sentence prescribed by this section:
- (a) Must not exceed the sentence imposed for the crime; and
 - (b) Runs consecutively with the sentence prescribed by statute for the crime.
3. This section does not create a separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact.
4. As used in this section, "metal-penetrating bullet" has the meaning ascribed to it in [NRS 202.273](#).
(Added to NRS by 1983, 800; A 1991, 1059; [2007, 3187](#))

NRS 193.165 Additional penalty: Use of deadly weapon or tear gas in commission of crime; restriction on probation.

1. Except as otherwise provided in [NRS 193.169](#), any person who uses a firearm or other deadly weapon or a weapon containing or capable of emitting tear gas, whether or not its possession is permitted by [NRS 202.375](#), in the commission of a crime shall, in addition to the term of imprisonment prescribed by statute for the crime, be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. In determining the length of the additional penalty imposed, the court shall consider the following information:
- (a) The facts and circumstances of the crime;
 - (b) The criminal history of the person;
 - (c) The impact of the crime on any victim;
 - (d) Any mitigating factors presented by the person; and
 - (e) Any other relevant information.
- The court shall state on the record that it has considered the information described in paragraphs (a) to (e), inclusive, in determining the length of the additional penalty imposed.
2. The sentence prescribed by this section:
- (a) Must not exceed the sentence imposed for the crime; and
 - (b) Runs consecutively with the sentence prescribed by statute for the crime.

3. This section does not create any separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact.
4. The provisions of subsections 1, 2 and 3 do not apply where the use of a firearm, other deadly weapon or tear gas is a necessary element of such crime.
5. The court shall not grant probation to or suspend the sentence of any person who is convicted of using a **firearm**, other deadly weapon or tear gas in the commission of any of the following crimes:
 - (a) Murder;
 - (b) Kidnapping in the first degree;
 - (c) Sexual assault; or
 - (d) Robbery.
6. As used in this section, “deadly weapon” means:
 - (a) Any instrument which, if used in the ordinary manner contemplated by its design and construction, will or is likely to cause substantial bodily harm or death;
 - (b) Any weapon, device, instrument, material or substance which, under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing substantial bodily harm or death; or
 - (c) **A dangerous or deadly weapon specifically described in [NRS 202.255](#), [202.265](#), [202.290](#), [202.320](#) or [202.350](#).** (Added to NRS by 1973, 1593; A 1975, 720; 1979, 225; 1981, 2050; 1991, 1059; 1995, 1431; [2007, 3188](#))

NRS 199.100 Rescuing prisoner.

1. A person who, by force or fraud, rescues from lawful custody, or from an officer or person having him or her in lawful custody, a prisoner held upon a charge, arrest, commitment, conviction or sentence for felony is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#).
2. A person who rescues a prisoner held upon a charge, arrest, commitment, conviction or sentence for a gross misdemeanor or misdemeanor shall be punished:
 - (a) **Where a dangerous weapon is used in the course of the rescue, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000.**
 - (b) Where no dangerous weapon is so used, for a misdemeanor.
[1911 C&P § 71; RL § 6336; NCL § 10020]—(NRS A 1967, 464; 1979, 1420; 1995, 1174)

NRS 199.280 Resisting public officer. A person who, in any case or under any circumstances not otherwise specially provided for, willfully resists, delays or obstructs a public officer in discharging or attempting to discharge any legal duty of his or her office shall be punished:

1. **Where a firearm is used in the course of such resistance, obstruction or delay, or the person intentionally removes, takes or attempts to remove or take a firearm from the person of, or the immediate presence of, the public officer in the course of such resistance, obstruction or delay, for a category C felony as provided in [NRS 193.130](#).**
2. Where a dangerous weapon, other than a firearm, is used in the course of such resistance, obstruction or delay, or the person intentionally removes, takes or attempts to remove or take a weapon, other than a firearm, from the person of, or the immediate presence of, the public officer in the course of such resistance, obstruction or delay, for a category D felony as provided in [NRS 193.130](#).
3. Where no dangerous weapon is used in the course of such resistance, obstruction or delay, for a misdemeanor.
[1911 C&P § 97; RL § 6362; NCL § 10046]—(NRS A 1967, 466; 1979, 1422; 1995, 1176; [2009, 163](#))

NRS 200.120 “Justifiable homicide” defined; no duty to retreat under certain circumstances.

1. Justifiable homicide is the killing of a human being in necessary self-defense, or in defense of habitation, property or person, against one who manifestly intends or endeavors, by violence or surprise, to commit a felony, or against any person or persons who manifestly intend and endeavor, in a violent, riotous, tumultuous or surreptitious manner, to enter the habitation of another for the purpose of assaulting or offering personal violence to any person dwelling or being therein.
2. A person is not required to retreat before using deadly force as provided in subsection 1 if the person:
 - (a) Is not the original aggressor;
 - (b) Has a right to be present at the location where deadly force is used; and
 - (c) Is not actively engaged in conduct in furtherance of criminal activity at the time deadly force is used.
[1911 C&P § 129; RL § 6394; NCL § 10076]—(NRS A 1983, 518; [2011, 265](#))

NRS 200.130 Bare fear insufficient to justify killing; reasonable fear required. A bare fear of any of the offenses mentioned in [NRS 200.120](#), to prevent which the homicide is alleged to have been committed, shall not be sufficient to justify the killing. It must appear that the circumstances were sufficient to excite the fears of a reasonable person and that the party killing really acted under the influence of those fears and not in a spirit of revenge.

[1911 C&P § 130; RL § 6395; NCL § 10077]

NRS 200.140 Justifiable homicide by public officer. Homicide is justifiable when committed by a public officer, or person acting under the command and in the aid of the public officer, in the following cases:

1. In obedience to the judgment of a competent court.
2. When necessary to overcome actual resistance to the execution of the legal process, mandate or order of a court or officer, or in the discharge of a legal duty.
3. When necessary:
 - (a) In retaking an escaped or rescued prisoner who has been committed, arrested for, or convicted of a felony;
 - (b) In attempting, by lawful ways or means, to apprehend or arrest a person;
 - (c) In lawfully suppressing a riot or preserving the peace; or
 - (d) In protecting against an imminent threat to the life of a person.

[1911 C&P § 131; RL § 6396; NCL § 10078]—(NRS A 1975, 323; [1993, 931](#); [2013, 270](#))

NRS 200.150 Justifiable or excusable homicide. All other instances which stand upon the same footing of reason and justice as those enumerated shall be considered justifiable or excusable homicide.

[1911 C&P § 132; RL § 6397; NCL § 10079]

NRS 200.160 Additional cases of justifiable homicide. Homicide is also justifiable when committed:

1. In the lawful defense of the slayer, or his or her husband, wife, parent, child, brother or sister, or of any other person in his or her presence or company, when there is reasonable ground to apprehend a design on the part of the person slain to commit a felony or to do some great personal injury to the slayer or to any such person, and there is imminent danger of such design being accomplished; or
2. In the actual resistance of an attempt to commit a felony upon the slayer, in his or her presence, or upon or in a dwelling, or other place of abode in which the slayer is.

[1911 C&P § 133; A 1931, 160; 1931 NCL § 10080]—(NRS A [1993, 932](#))

NRS 200.170 Burden of proving circumstances of mitigation or justifiable or excusable homicide. The killing of the deceased named in the indictment or information by the defendant being proved, the burden of proving circumstances of mitigation, or that justify or excuse the homicide, will devolve on the accused, unless the proof on the part of the prosecution sufficiently manifests that the crime committed only amounts to manslaughter, or that the accused was justified, or excused in committing the homicide.

[1911 C&P § 134; A 1951, 524]

NRS 200.200 Killing in self-defense. If a person kills another in self-defense, it must appear that:

1. The danger was so urgent and pressing that, in order to save the person's own life, or to prevent the person from receiving great bodily harm, the killing of the other was absolutely necessary; and
2. The person killed was the assailant, or that the slayer had really, and in good faith, endeavored to decline any further struggle before the mortal blow was given.

[1911 C&P § 137; RL § 6402; NCL § 10084]

NRS 200.410 Death resulting from duel; penalty. If a person fights, by previous appointment or agreement, a duel with a [rifle](#), [shotgun](#), [pistol](#), bowie knife, dirk, small sword, backsword or other dangerous weapon, and in so doing kills his or her antagonist, or any person, or inflicts such a wound that the party or parties injured die thereof, each such offender is guilty of murder in the first degree, which is a category A felony, and upon conviction thereof shall be punished as provided in subsection 4 of [NRS 200.030](#).

[1911 C&P § 157; RL § 6422; NCL § 10104]—(NRS A 1959, 10; 1995, 1189; [1999, 2](#))

NRS 200.450 Challenges to fight; penalties.

1. If a person, upon previous concert and agreement, fights with any other person or gives, sends or authorizes any other person to give or send a challenge verbally or in writing to fight any other person, the person giving, sending or accepting the challenge to fight any other person shall be punished:

- (a) If the fight does not involve the use of a deadly weapon, for a gross misdemeanor; or
(b) If the fight involves the use of a deadly weapon, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000.
2. A person who acts for another in giving, sending, or accepting, either verbally or in writing, a challenge to fight any other person shall be punished:
- (a) If the fight does not involve the use of a deadly weapon, for a gross misdemeanor; or
(b) If the fight involves the use of a deadly weapon, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000.
3. Should death ensue to a person in such a fight, or should a person die from any injuries received in such a fight, the person causing or having any agency in causing the death, either by fighting or by giving or sending for himself or herself or for any other person, or in receiving for himself or herself or for any other person, the challenge to fight, is guilty of murder in the first degree which is a category A felony and shall be punished as provided in subsection 4 of [NRS 200.030](#).
[1911 C&P § 161; RL § 6426; NCL § 10108]—(NRS A 1967, 472; 1977, 884; 1979, 1426; 1995, 1189; [1999, 2](#))

NRS 202.253 Definitions. As used in [NRS 202.253](#) to [202.369](#), inclusive:

1. “Explosive or incendiary device” means any explosive or incendiary material or substance that has been constructed, altered, packaged or arranged in such a manner that its ordinary use would cause destruction or injury to life or property.
2. “Firearm” means any device designed to be used as a weapon from which a projectile may be expelled through the barrel by the force of any explosion or other form of combustion.
3. “Firearm capable of being concealed upon the person” applies to and includes all firearms having a barrel less than 12 inches in length.
4. “Motor vehicle” means every vehicle that is self-propelled.
(Added to NRS by 1977, 879; A 1979, 157; 1989, 1239; 1995, 1151, 2533, 2726; 1997, 662, 826; [2001, 805](#); [2003, 1350](#); [2005, 594](#))

NRS 202.254 Private person authorized to obtain background check on person who wishes to obtain firearm; fee.

1. A private person who wishes to transfer a **firearm** to another person may, before transferring the **firearm**, request that the Central Repository for Nevada Records of Criminal History perform a background check on the person who wishes to acquire the **firearm**.
2. The person who requests the information pursuant to subsection 1 shall provide the Central Repository with identifying information about the person who wishes to acquire the **firearm**.
3. Upon receiving a request from a private person pursuant to subsection 1 and the identifying information required pursuant to subsection 2, the Central Repository shall within 5 business days after receiving the request:
 - (a) Perform a background check on the person who wishes to acquire the **firearm**; and
 - (b) Notify the person who requests the information whether the information available to the Central Repository indicates that the receipt of a **firearm** by the person who wishes to acquire the **firearm** would violate a state or federal law.
4. If the person who requests the information does not receive notification from the Central Repository regarding the request within 5 business days after making the request, the person may presume that the receipt of a **firearm** by the person who wishes to acquire the **firearm** would not violate a state or federal law.
5. The Central Repository may charge a reasonable fee for performing a background check and notifying a person of the results of the background check pursuant to this section.
6. The failure of a person to request the Central Repository to perform a background check pursuant to this section before transferring a **firearm** to another person does not give rise to any civil cause of action.
(Added to NRS by 1997, 825)

NRS 202.255 Setting spring gun or other deadly weapon: Unlawful and permitted uses; penalties.

1. A person who sets a so-called trap, **spring pistol, rifle**, or other deadly weapon shall be punished:
 - (a) If no injury results therefrom to any human being, for a gross misdemeanor.
 - (b) If injuries not fatal result therefrom to any human being, for a category B felony by imprisonment in the state prison for a minimum term of

not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

(c) If the death of a human being results therefrom:\

(1) Under circumstances not rendering the act murder, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000; or

(2) Otherwise, for murder which is a category A felony as provided in [NRS 200.030](#).

2. Subsection 1 does not prevent the use of any loaded [spring gun, set gun](#) or other device for the destruction of gophers, moles, coyotes or other burrowing rodents or predatory animals by agents or employees of governmental agencies engaged in cooperative predatory animal and rodent control work, but:

(a) A loaded [spring gun, set gun](#) or other device must not be set within 15 miles of the boundaries of any incorporated city or unincorporated town; and

(b) Before setting any such loaded spring gun, set gun or other device on any real property permission must first be obtained from the owner, lessee or administrator thereof.

[1911 C&P § 302; RL § 6567; NCL § 10250]—(NRS A 1960, 336; 1967, 485; 1979, 1433; 1995, 1205)

NRS 202.257 Possession of firearm when under influence of alcohol, controlled substance or other intoxicating substance; administration of evidentiary test; penalty; forfeiture of firearm.

1. It is unlawful for a person who:

(a) Has a concentration of alcohol of 0.10 or more in his or her blood or breath; or

(b) Is under the influence of any controlled substance, or is under the combined influence of intoxicating liquor and a controlled substance, or any person who inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders him or her incapable of safely exercising actual physical control of a [firearm](#), to have in his or her actual physical possession any [firearm](#). This prohibition does not apply to the actual physical possession of a [firearm](#) by a person who was within the person's personal residence and had the [firearm](#) in his or her possession solely for self-defense.

2. Any evidentiary test to determine whether a person has violated the provisions of subsection 1 must be administered in the same manner as an evidentiary test that is administered pursuant to [NRS 484C.160](#) to [484C.250](#), inclusive, except that submission to the evidentiary test is required of any person who is directed by a police officer to submit to the test. If a person to be tested fails to submit to a required test as directed by a police officer, the officer may direct that reasonable force be used to the extent necessary to obtain the samples of blood from the person to be tested, if the officer has reasonable cause to believe that the person to be tested was in violation of this section.

3. Any person who violates the provisions of subsection 1 is guilty of a misdemeanor.

4. A [firearm](#) is subject to forfeiture pursuant to [NRS 179.1156](#) to [179.119](#), inclusive, only if, during the violation of subsection 1, the [firearm](#) is brandished, aimed or otherwise handled by the person in a manner which endangered others.

5. As used in this section, the phrase "concentration of alcohol of 0.10 or more in his or her blood or breath" means 0.10 gram or more of alcohol per 100 milliliters of the blood of a person or per 210 liters of his or her breath.

(Added to NRS by 1995, 2533; A [1999, 2470](#); [2003, 2565](#))

NRS 202.265 Possession of dangerous weapon on property or in vehicle of school or child care facility; penalty; exceptions.

1. Except as otherwise provided in this section, a person shall not carry or possess while on the property of the Nevada System of Higher Education, a private or public school or child care facility, or while in a vehicle of a private or public school or child care facility:

(a) An explosive or incendiary device;

(b) A dirk, dagger or switchblade knife;

(c) A nunchaku or trefoil;

(d) A blackjack or billy club or metal knuckles;

(e) [A pistol, revolver or other firearm](#); or

(f) Any device used to mark any part of a person with paint or any other substance.

2. Any person who violates subsection 1 is guilty of a gross misdemeanor.

3. This section does not prohibit the possession of a weapon listed in subsection 1 on the property of:

- (a) A private or public school or child care facility by a:
 - (1) Peace officer;
 - (2) School security guard; or
 - (3) Person having written permission from the president of a branch or facility of the Nevada System of Higher Education or the principal of the school or the person designated by a child care facility to give permission to carry or possess the weapon.
 - (b) A child care facility which is located at or in the home of a natural person by the person who owns or operates the facility so long as the person resides in the home and the person complies with any laws governing the possession of such a weapon.
 - 4. The provisions of this section apply to a child care facility located at or in the home of a natural person only during the normal hours of business of the facility.
 - 5. For the purposes of this section:
 - (a) "Child care facility" means any child care facility that is licensed pursuant to [chapter 432A](#) of NRS or licensed by a city or county.
 - (b) "Firearm" includes any device from which a metallic projectile, including any ball bearing or pellet, may be expelled by means of spring, gas, air or other force.
 - (c) "Nunchaku" has the meaning ascribed to it in [NRS 202.350](#).
 - (d) "Switchblade knife" has the meaning ascribed to it in [NRS 202.350](#).
 - (e) "Trefoil" has the meaning ascribed to it in [NRS 202.350](#).
 - (f) "Vehicle" has the meaning ascribed to "school bus" in [NRS 484A.230](#).
- (Added to NRS by 1989, 656; A 1993, 364; 1995, 1151; [2001, 806](#); [2007, 1913](#))

NRS 202.273 Unlawful manufacture or sale of certain metal-penetrating bullets: Exceptions; penalty.

- 1. Except as provided in subsection 2, it is unlawful to manufacture or sell any metal-penetrating bullet capable of being fired from a handgun.
 - 2. A person may manufacture and sell metal-penetrating bullets pursuant to an agreement with a law enforcement agency for the sale of such bullets to that agency.
 - 3. A person who violates the provisions of this section is guilty of a gross misdemeanor.
 - 4. As used in this section, "metal-penetrating bullet" means a bullet whose core:
 - (a) Reduces the normal expansion of the bullet upon impact; and
 - (b) Is at least as hard as the maximum hardness attainable using solid red metal alloys, and which can be used in a handgun. The term does not include any bullet with a copper or brass jacket and a core of lead or a lead alloy, or a bullet made of lead or lead alloys.
- (Added to NRS by 1983, 800)

NRS 202.275 Possession, manufacture or disposition of short-barreled rifle or short-barreled shotgun: Penalty; exceptions.

- 1. Except as otherwise provided in subsection 3, a person who knowingly or willfully possesses, manufactures or disposes of any [short-barreled rifle](#) or [short-barreled shotgun](#) is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).
- 2. For purposes of this section:
 - (a) "Short-barreled rifle" means:
 - (1) A rifle having one or more barrels less than 16 inches in length; or
 - (2) Any weapon made from a rifle, whether by alteration, modification or other means, with an overall length of less than 26 inches.
 - (b) "Short-barreled shotgun" means:
 - (1) A shotgun having one or more barrels less than 18 inches in length; or
 - (2) Any weapon made from a shotgun, whether by alteration, modification or other means, with an overall length of less than 26 inches.
- 3. This section does not prohibit:
 - (a) The possession or use of any [short-barreled rifle](#) or [short-barreled shotgun](#) by any peace officer when authorized to do so in the performance of official duties;
 - (b) The possession of any [short-barreled rifle](#) or [short-barreled shotgun](#) by a person who is licensed as a firearms importer, manufacturer, collector or dealer by the United States Department of the Treasury, or by a person to whom such a rifle or shotgun is registered with the United States Department of the Treasury; or

(c) The possession of any short-barreled rifle or short-barreled shotgun that has been determined to be a collector's item pursuant to 26 U.S.C. Chapter 53 or a curio or relic pursuant to 18 U.S.C. Chapter 44. (Added to NRS by 1977, 879; A 1979, 1434; 1991, 1136; 1995, 1206; [2005, 64](#))

NRS 202.277 Changing, altering, removing or obliterating serial number of firearm prohibited; possession of firearm with serial number changed, altered, removed or obliterated prohibited; penalties.

1. A person shall not intentionally change, alter, remove or obliterate the serial number upon any firearm. Any person who violates the provisions of this subsection is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#).

2. A person shall not knowingly possess a firearm on which the serial number has been intentionally changed, altered, removed or obliterated. Any person who violates the provisions of this subsection is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).

(Added to NRS by 1977, 880; A [2003, 1350](#))

NRS 202.280 Discharging firearm in or upon public streets or in places of public resort; throwing deadly missiles; duties of civil, military and peace officers; penalties.

1. Unless a greater penalty is provided in [NRS 202.287](#), a person, whether under the influence of liquor, a controlled substance or otherwise, who maliciously, wantonly or negligently discharges or causes to be discharged any pistol, gun or any other kind of firearm, in or upon any public street or thoroughfare, or in any theater, hall, store, hotel, saloon or any other place of public resort, or throws any deadly missile in a public place or in any place where any person might be endangered thereby, although no injury results, is guilty of a misdemeanor.

2. All civil, military and peace officers shall be vigilant in carrying the provisions of subsection 1 into full force and effect. Any peace officer who neglects his or her duty in the arrest of any such offender is guilty of a gross misdemeanor.

[1911 C&P § 304; RL § 6569; NCL § 10252] + [1911 C&P § 305; RL § 6570; NCL § 10253]—(NRS A 1967, 485; 1989, 1240)

NRS 202.285 Discharging firearm at or into structure, vehicle, aircraft or watercraft; penalties.

1. A person who willfully and maliciously discharges a firearm at or into any house, room, apartment, tenement, shop, warehouse, store, mill, barn, stable, outhouse or other building, tent, vessel, aircraft, vehicle, vehicle trailer, semitrailer or house trailer, railroad locomotive, car or tender:

(a) If it has been abandoned, is guilty of a misdemeanor unless a greater penalty is provided in [NRS 202.287](#).

(b) If it is occupied, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

2. Whenever a firearm is so discharged at or into any vessel, aircraft, vehicle, vehicle trailer, semitrailer or house trailer, railroad locomotive, car or tender, in motion or at rest, and it cannot with reasonable certainty be ascertained in what county the crime was committed, the offender may be arrested and tried in any county through which the vessel, aircraft, vehicle, vehicle trailer, semitrailer or house trailer, locomotive or railroad car may have run on the trip during which the firearm was discharged at or into it.

(Added to NRS by 1979, 157; A 1989, 1240; 1995, 1206)

NRS 202.287 Discharging firearm within or from structure or vehicle; penalties.

1. A person who is in, on or under a structure or vehicle and who maliciously or wantonly discharges or maliciously or wantonly causes to be discharged a firearm within or from the structure or vehicle:

(a) If the structure or vehicle is not within an area designated by city or county ordinance as a populated area for the purpose of prohibiting the discharge of weapons, is guilty of a misdemeanor.

(b) If the structure or vehicle is within an area designated by city or county ordinance as a populated area for the purpose of prohibiting the discharge of weapons, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

2. If a firearm is discharged within or out of any vehicle that is in motion or at rest and it cannot with reasonable certainty be ascertained in what county the crime was committed, the offender may be arrested and tried in any county through which the vehicle may have run on the trip during which the firearm was discharged.

3. The provisions of this section do not apply to:

(a) A person who lawfully shoots at a game mammal or game bird pursuant to subsection 2 of [NRS 503.010](#).

(b) A peace officer while engaged in the performance of his or her official duties.
(c) A person who **discharges a firearm in a lawful manner** and in the course of a lawful business, event or activity.

4. As used in this section:

(a) "Structure" means any temporary or permanent structure, including, but not limited to, any tent, house, room, apartment, tenement, shop, warehouse, store, mill, barn, stable, outhouse or other building.

(b) "Vehicle" means any motor vehicle or trailer designed for use with a motor vehicle, whether or not it is self-propelled, operated on rails or propelled by electric power obtained from overhead wires.

(Added to NRS by 1989, 1239; A 1993, 2774; 1995, 1152, 1207, 2403, 2409; [2003, 987](#))

NRS 202.290 Aiming firearm at human being; discharging weapon where person might be endangered; penalty. Unless a greater penalty is provided in [NRS 202.287](#), a person who willfully:

1. **Aims any gun, pistol, revolver or other firearm, whether loaded or not, at or toward any human being;** or
2. **Discharges any firearm, air gun or other weapon,** or throws any deadly missile in a public place or in any place where any person might be endangered thereby, although an injury does not result, is guilty of a gross misdemeanor.

[1911 C&P § 344; RL § 6609; NCL § 10292]—(NRS A 1989, 820, 1240, 1243)

NRS 202.300 Use or possession of firearm by child under age of 18 years; unlawful to aid or permit child to commit violation; penalties; child 14 years of age or older authorized to possess firearm under certain circumstances.

1. Except as otherwise provided in this section, a child under the age of 18 years shall not handle or have in his or her possession or under his or her control, except while accompanied by or under the immediate charge of his or her parent or guardian or an adult person authorized by his or her parent or guardian to have control or custody of the child, **any firearm of any kind** for hunting or target practice or for other purposes. A child who violates this subsection commits a delinquent act and the court may order the detention of the child in the same manner as if the child had committed an act that would have been a felony if committed by an adult.

2. A person who aids or knowingly permits a child to violate subsection 1:

(a) Except as otherwise provided in paragraph (b), for the first offense, is guilty of a misdemeanor.

(b) For a first offense, if the person knows or has reason to know that there is a substantial risk that the child will use the firearm to commit a violent act, is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#).

(c) For a second or any subsequent offense, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000.

3. A person does not aid or knowingly permit a child to violate subsection 1 if:

(a) **The firearm** was stored in a securely locked container or at a location which a reasonable person would have believed to be secure;

(b) The child obtained the **firearm** as a result of an unlawful entry by any person in or upon the premises where the **firearm** was stored;

(c) The injury or death resulted from an accident which was incident to **target shooting, sport shooting or hunting;** or

(d) The child gained **possession of the firearm** from a member of the military or a law enforcement officer, while the member or officer was performing his or her official duties.

4. The provisions of subsection 1 do not apply to a child who is a member of the Armed Forces of the United States.

5. Except as otherwise provided in subsection 8, a child who is 14 years of age or older, who has in his or her possession a valid license to hunt, **may handle or have in his or her possession or under his or her control,** without being accompanied by his or her parent or guardian or an adult person authorized by his or her parent or guardian to have control or custody of the child:

(a) **A rifle or shotgun that is not a fully automatic firearm,** if the child is not otherwise prohibited by law from possessing the rifle or shotgun and the child has the permission of his or her parent or guardian to handle or have in his or her possession or under his or her control the rifle or shotgun; or

(b) **A firearm capable of being concealed upon the person,** if the child has the written permission of his or her parent or guardian to handle or have in his or her possession or under his or her control such a firearm and the child is not otherwise prohibited by law from possessing such a firearm, and the child is traveling to the area in which the

child will be hunting or returning from that area and the firearm is not loaded, or the child is hunting pursuant to that license.

6. Except as otherwise provided in subsection 8, a child who is 14 years of age or older may handle or have in his or her possession or under his or her control a rifle or shotgun that is not a fully automatic firearm if the child is not otherwise prohibited by law from possessing the rifle or shotgun, without being accompanied by his or her parent or guardian or an adult person authorized by his or her parent or guardian to have control or custody of the child, if the child has the permission of his or her parent or guardian to handle or have in his or her possession or under his or her control the rifle or shotgun and the child is:

(a) Attending a course of instruction in the responsibilities of hunters or a course of instruction in the safe use of firearms;

(b) Practicing the use of a firearm at an established firing range or at any other area where the discharge of a firearm is permitted;

(c) Participating in a lawfully organized competition or performance involving the use of a firearm;

(d) Within an area in which the discharge of firearms has not been prohibited by local ordinance or regulation and the child is engaging in a lawful hunting activity in accordance with [chapter 502](#) of NRS for which a license is not required;

(e) Traveling to or from any activity described in paragraph (a), (b), (c) or (d), and the firearm is not loaded;

(f) On real property that is under the control of an adult, and the child has the permission of that adult to possess the firearm on the real property; or

(g) At his or her residence.

7. Except as otherwise provided in subsection 8, a child who is 14 years of age or older may handle or have in his or her possession or under his or her control, for the purpose of engaging in any of the activities listed in paragraphs (a) to (g), inclusive, of subsection 6, a firearm capable of being concealed upon the person, without being accompanied by his or her parent or guardian or an adult person authorized by his or her parent or guardian to have control or custody of the child, if the child:

(a) Has the written permission of his or her parent or guardian to handle or have in his or her possession or under his or her control such a firearm for the purpose of engaging in such an activity; and

(b) Is not otherwise prohibited by law from possessing such a firearm.

8. A child shall not handle or have in his or her possession or under his or her control a loaded firearm if the child is:

(a) An occupant of a motor vehicle;

(b) Within any residence, including his or her residence, or any building other than a facility licensed for target practice, unless possession of the firearm is necessary for the immediate defense of the child or another person; or

(c) Within an area designated by a county or municipal ordinance as a populated area for the purpose of prohibiting the discharge of weapons, unless the child is within a facility licensed for target practice.

9. For the purposes of this section, a firearm is loaded if:

(a) There is a cartridge in the chamber of the firearm;

(b) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver; or

(c) There is a cartridge in the magazine and the magazine is in the firearm or there is a cartridge in the chamber, if the firearm is a semiautomatic firearm.

[1911 C&P § 345; RL § 6610; NCL § 10293]—(NRS A 1963, 3; 1991, 1154; 1995, 1152; 1997, 516, 1181)

NRS 202.310 Sale of firearms to minors; penalty. Any person in this state who sells or barter to a child who is under the age of 18 years, with reckless disregard of whether the child is under the age of 18 years, or with knowledge or reason to know that the child is under the age of 18 years, a [pistol, revolver or a firearm capable of being concealed upon the person](#) is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000.

[1:164:1955]—(NRS A 1995, 1154; 1997, 519, 1183)

NRS 202.320 Drawing deadly weapon in threatening manner.

1. Unless a greater penalty is provided in [NRS 202.287](#), a person having, carrying or procuring from another person any dirk, dirk-knife, sword, sword cane, [pistol, gun or other deadly weapon](#), who, in the presence of two or more persons, draws or exhibits any of such deadly weapons in a rude, angry or threatening manner not in necessary self-defense, or who in any manner unlawfully uses that weapon in any fight or quarrel, is guilty of a misdemeanor.

2. A sheriff, deputy sheriff, marshal, constable or other peace officer shall not be held to answer, under the provisions of subsection 1, for drawing or exhibiting any of the weapons mentioned therein while in the lawful discharge of his or her duties.

[1911 C&P § 174; RL § 6439; NCL § 10121]—(NRS A 1967, 486; 1989, 1240)

NRS 202.340 Confiscation and disposition of dangerous weapons by law enforcement agencies.

1. Except as otherwise provided for firearms forfeitable pursuant to [NRS 453.301](#), when any instrument or weapon described in [NRS 202.350](#) is taken from the possession of any person charged with the commission of any public offense or crime or any child charged with committing a delinquent act, the instrument or weapon must be surrendered to:

(a) The head of the police force or department of an incorporated city if the possession thereof was detected by any member of the police force of the city; or

(b) The chief administrator of a state law enforcement agency, for disposal pursuant to [NRS 333.220](#), if the possession thereof was detected by any member of the agency. In all other cases, the instrument or weapon must be surrendered to the sheriff of the county or the sheriff of the metropolitan police department for the county in which the instrument or weapon was taken.

2. Except as otherwise provided in subsection 5, the governing body of the county or city or the metropolitan police committee on fiscal affairs shall at least once a year order the local law enforcement officer to whom any instrument or weapon is surrendered pursuant to subsection 1 to:

(a) Retain the confiscated instrument or weapon for use by the law enforcement agency headed by the officer;

(b) Sell the confiscated instrument or weapon to another law enforcement agency;

(c) Destroy or direct the destruction of the confiscated instrument or weapon if it is not otherwise required to be destroyed pursuant to subsection 5;

(d) Trade the confiscated instrument or weapon to a properly licensed retailer or wholesaler in exchange for equipment necessary for the performance of the agency's duties; or

(e) Donate the confiscated instrument or weapon to a museum, the Nevada National Guard or, if appropriate, to another person for use which furthers a charitable or public interest.

3. All proceeds of a sale ordered pursuant to subsection 2 by:

(a) The governing body of a county or city must be deposited with the county treasurer or the city treasurer and the county treasurer or the city treasurer shall credit the proceeds to the general fund of the county or city.

(b) A metropolitan police committee on fiscal affairs must be deposited in a fund which was created pursuant to [NRS 280.220](#).

4. Any officer receiving an order pursuant to subsection 2 shall comply with the order as soon as practicable.

5. Except as otherwise provided in subsection 6, the officer to whom a confiscated instrument or weapon is surrendered pursuant to subsection 1 shall:

(a) Except as otherwise provided in paragraph (c), destroy or direct to be destroyed any instrument or weapon which is determined to be dangerous to the safety of the public.

(b) Except as otherwise provided in paragraph (c), return any instrument or weapon, which has not been destroyed pursuant to paragraph (a):

(1) Upon demand, to the person from whom the instrument or weapon was confiscated if the person is acquitted of the public offense or crime of which the person was charged; or

(2) To the legal owner of the instrument or weapon if the Attorney General or the district attorney determines that the instrument or weapon was unlawfully acquired from the legal owner. If retention of the instrument or weapon is ordered or directed pursuant to paragraph (c), except as otherwise provided in paragraph (a), the instrument or weapon must be returned to the legal owner as soon as practicable after the order or direction is rescinded.

(c) Retain the confiscated instrument or weapon held by the officer pursuant to an order of a judge of a court of record or by direction of the Attorney General or district attorney that the retention is necessary for purposes of evidence, until the order or direction is rescinded.

(d) Return any instrument or weapon which was stolen to its rightful owner, unless the return is otherwise prohibited by law.

6. Before any disposition pursuant to subsection 5, the officer who is in possession of the confiscated instrument or weapon shall submit a full description of the instrument or weapon to a laboratory which provides forensic services in this State. The director of the laboratory shall determine whether the instrument or weapon:

(a) Must be sent to the laboratory for examination as part of a criminal investigation; or

(b) Is a necessary addition to a referential collection maintained by the laboratory for purposes relating to law enforcement.

[1:93:1913; 1919 RL p. 2710; NCL § 2300] + [2:93:1913; A 1953, 546]—(NRS A 1959, 547; 1967, 1719; 1989, 12, 143, 144; 1995, 304, 1154, 1161)

NRS 202.350 Manufacture, importation, possession or use of dangerous weapon or silencer; carrying concealed weapon without permit; penalties; issuance of permit to carry concealed weapon; exceptions.

1. Except as otherwise provided in this section and [NRS 202.355](#) and [202.3653](#) to [202.369](#), inclusive, a person within this State shall not:

(a) Manufacture or cause to be manufactured, or import into the State, or keep, offer or expose for sale, or give, lend or possess any knife which is made an integral part of a belt buckle or any instrument or weapon of the kind commonly known as a switchblade knife, blackjack, slungshot, billy, sand-club, sandbag or metal knuckles;

(b) Manufacture or cause to be manufactured, or import into the State, or keep, offer or expose for sale, or give, lend, possess or use a [machine gun or a silencer](#), unless authorized by federal law;

(c) With the intent to inflict harm upon the person of another, possess or use a nunchaku or trefoil; or

(d) Carry concealed upon his or her person any:

(1) Explosive substance, other than [ammunition or any components thereof](#);

(2) Dirk, dagger or machete;

(3) [Pistol, revolver or other firearm, or other dangerous or deadly weapon](#); or

(4) Knife which is made an integral part of a belt buckle.

2. Except as otherwise provided in [NRS 202.275](#) and [212.185](#), a person who violates any of the provisions of:

(a) Paragraph (a) or (c) or subparagraph (2) or (4) of paragraph (d) of subsection 1 is guilty:

(1) For the first offense, of a gross misdemeanor.

(2) For any subsequent offense, of a category D felony and shall be punished as provided in [NRS 193.130](#).

(b) Paragraph (b) or subparagraph (1) or (3) of paragraph (d) of subsection 1 is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#).

3. Except as otherwise provided in this subsection, the sheriff of any county may, upon written application by a resident of that county showing the reason or the purpose for which a [concealed weapon](#) is to be carried, issue a permit authorizing the applicant to carry in this State the concealed weapon described in the permit. The sheriff shall not issue a permit to a person to carry a switchblade knife. [This subsection does not authorize the sheriff to issue a permit to a person to carry a pistol, revolver or other firearm.](#)

4. Except as otherwise provided in subsection 5, this section does not apply to:

(a) Sheriffs, constables, marshals, peace officers, correctional officers employed by the Department of Corrections, special police officers, police officers of this State, whether active or honorably retired, or other appointed officers.

(b) Any person summoned by any peace officer to assist in making arrests or preserving the peace while the person so summoned is actually engaged in assisting such an officer.

(c) Any full-time paid peace officer of an agency of the United States or another state or political subdivision thereof when carrying out official duties in the State of Nevada.

(d) Members of the Armed Forces of the United States when on duty.

5. The exemptions provided in subsection 4 do not include a former peace officer who is retired for disability unless his or her former employer has approved his or her fitness to carry a concealed weapon.

6. The provisions of paragraph (b) of subsection 1 do not apply to any person who is licensed, authorized or permitted to possess or use a [machine gun or silencer](#) pursuant to federal law. The burden of establishing federal licensure, authorization or permission is upon the person possessing the license, authorization or permission.

7. This section shall not be construed to prohibit a qualified law enforcement officer or a qualified retired law enforcement officer from carrying a concealed weapon in this State if he or she is authorized to do so pursuant to 18 U.S.C. § 926B or 926C.

8. As used in this section:

(a) [“Concealed weapon” means a weapon described in this section that is carried upon a person in such a manner as not to be discernible by ordinary observation.](#)

(b) [“Honorably retired” means retired in Nevada after completion of 10 years of creditable service as a member of the Public Employees’ Retirement System. A former peace officer is not “honorably retired” if he or she was discharged for cause or resigned before the final disposition of allegations of serious misconduct.](#)

(c) [“Machine gun” means any weapon which shoots, is designed to shoot or can be readily restored to shoot more than one shot, without manual reloading, by a single function of the trigger.](#)

(d) “Nunchaku” means an instrument consisting of two or more sticks, clubs, bars or rods connected by a rope, cord, wire or chain used as a weapon in forms of Oriental combat.

(e) “Qualified law enforcement officer” has the meaning ascribed to it in 18 U.S.C. § 926B(c).

(f) “Qualified retired law enforcement officer” has the meaning ascribed to it in 18 U.S.C. § 926C(c).

(g) “Silencer” means any device for silencing, muffling or diminishing the report of a firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a silencer or muffler, and any part intended only for use in such assembly or fabrication.

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

(i) “Trefoil” means an instrument consisting of a metal plate having three or more radiating points with sharp edges, designed in the shape of a star, cross or other geometric figure and used as a weapon for throwing.

[1:47:1925; NCL § 2302] + [3:47:1925; NCL § 2304]—(NRS A 1959, 548; 1963, 90; 1967, 486; 1973, 190, 900; 1977, 269, 880; 1979, 1435; 1985, 452, 593, 792; 1989, 653; 1995, 1207, 2726; 1997, 826, 1601; [1999, 421, 1208](#); [2001, 575](#); [2003, 1351](#); [2005, 594](#))

NRS 202.360 Ownership or possession of firearm by certain persons prohibited; penalties.

1. A person shall not own or have in his or her possession or under his or her custody or control any **firearm** if the person:

(a) Has been convicted of a felony in this or any other state, or in any political subdivision thereof, or of a felony in violation of the laws of the United States of America, unless the person has received a pardon and the pardon does not restrict his or her right to bear arms;

(b) Is a fugitive from justice; or

(c) Is an unlawful user of, or addicted to, any controlled substance.

A person who violates the provisions of this subsection is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000.

2. A person shall not own or have in his or her possession or under his or her custody or control any firearm if the person:

(a) Has been adjudicated as mentally ill or has been committed to any mental health facility; or

(b) **Is illegally or unlawfully** in the United States. A person who violates the provisions of this subsection is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).

3. As used in this section:

(a) “Controlled substance” has the meaning ascribed to it in 21 U.S.C. § 802(6).

(b) “Firearm” includes any firearm that is loaded or unloaded and operable or inoperable.

[2:47:1925; A 1955, 185] + [3:47:1925; NCL § 2304]—(NRS A 1959, 548; 1967, 487; 1979, 1435; 1983, 926; 1985, 453, 594; 1991, 72; 1995, 1208; 1997, 828; [2003, 1352](#))

NRS 202.362 Sale or disposal of firearm or ammunition to certain persons prohibited; penalty; exceptions.

1. Except as otherwise provided in subsection 3, a person within this State shall not sell or otherwise dispose of **any firearm or ammunition** to another person if he or she has actual knowledge that the other person:

(a) Is under indictment for, or has been convicted of, a felony in this or any other state, or in any political subdivision thereof, or of a felony in violation of the laws of the United States of America, unless the other person has received a pardon and the pardon does not restrict his or her **right to bear arms**;

(b) Is a fugitive from justice;

(c) Has been adjudicated as mentally ill or has been committed to any mental health facility; or

(d) **Is illegally or unlawfully** in the United States.

2. A person who violates the provisions of subsection 1 is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000.

3. This section does not apply to a person who sells or disposes of **any firearm or ammunition** to:

(a) A licensed importer, licensed manufacturer, licensed dealer or licensed collector who, pursuant to 18 U.S.C. § 925(b), is not precluded from dealing in **firearms or ammunition**; or

(b) A person who has been granted relief from the disabilities imposed by federal laws pursuant to 18 U.S.C. § 925(c) or [NRS 179A.163](#).

(Added to NRS by [2003, 1349](#); A [2009, 2490](#))

Concealed Firearms

NRS 202.3653 Definitions. As used in [NRS 202.3653](#) to [202.369](#), inclusive, unless the context otherwise requires:

1. “Concealed firearm” means a loaded or unloaded handgun which is carried upon a person in such a manner as not to be discernible by ordinary observation.

2. “Department” means the Department of Public Safety.

3. “Handgun” has the meaning ascribed to it in 18 U.S.C. § 921(a)(29).

4. “Permit” means a permit to carry a concealed firearm issued pursuant to the provisions of [NRS 202.3653](#) to [202.369](#), inclusive.

(Added to NRS by [1995, 2721](#); A [1997, 1175](#); [1999, 850](#); [2001, 2579](#); [2005, 596](#); [2007, 3151](#); [2013, 1138](#))

NRS 202.3657 Application for permit; eligibility; denial or revocation of permit.

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

2. A person applying for a permit may submit one application and obtain one permit to carry all handguns owned by the person. The person must not be required to list and identify on the application each handgun owned by the person. A permit is valid for any handgun which is owned or thereafter obtained by the person to whom the permit is issued.

3. Except as otherwise provided in this section, the sheriff shall issue a permit to any person who is qualified to possess a handgun under state and federal law, who submits an application in accordance with the provisions of this section and who:

(a) Is 21 years of age or older;

(b) Is not prohibited from possessing a firearm pursuant to [NRS 202.360](#); and

(c) Demonstrates competence with handguns by presenting a certificate or other documentation to the sheriff which shows that the applicant:

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

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

È Such a course must include instruction in the use of handguns and in the laws of this State relating to the use of a firearm. A sheriff may not approve a course in firearm safety pursuant to subparagraph (1) unless the sheriff determines that the course meets any standards that are established by the Nevada Sheriffs’ and Chiefs’ Association or, if the Nevada Sheriffs’ and Chiefs’ Association ceases to exist, its legal successor.

4. The sheriff shall deny an application or revoke a permit if the sheriff determines that the applicant or permittee:

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

(b) Has been judicially declared incompetent or insane.

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

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

(1) Convicted of violating the provisions of [NRS 484C.110](#); or

(2) Committed for treatment pursuant to [NRS 458.290](#) to [458.350](#), inclusive.

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

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

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

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

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

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

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

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

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

6. If the sheriff receives notification submitted by a court or law enforcement agency of this or any other state, the United States or a territory or possession of the United States that a permittee or an applicant for a permit has been charged with a crime involving the use or threatened use of force or violence, the conviction for which would require the revocation of a permit or preclude the issuance of a permit to the applicant pursuant to this section, the sheriff shall suspend the person's permit or the processing of the person's application until the final disposition of the charges against the person. If a permittee is acquitted of the charges, or if the charges are dropped, the sheriff shall restore his or her permit without imposing a fee.

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

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

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

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

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

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

(f) A nonrefundable fee equal to the nonvolunteer rate charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation to obtain the reports required pursuant to subsection 1 of [NRS 202.366](#); and

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

(Added to NRS by [1995, 2721](#); A [1997, 1175](#); [2001, 612, 618, 2579](#); [2003, 8, 11](#); [2007, 3151](#); [2011, 751, 1779, 3107](#); [2013, 1139](#))

NRS 202.366 Investigation of applicant for permit; issuance or denial of permit; expiration of permit.

1. Upon receipt by a sheriff of an application for a permit, including an application for the renewal of a permit pursuant to [NRS 202.3677](#), the sheriff shall conduct an investigation of the applicant to determine if the applicant is eligible for a permit. In conducting the investigation, the sheriff shall forward a complete set of the applicant's fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report concerning the criminal history of the applicant. The investigation also must include a report from the National Instant Criminal Background Check System. The sheriff shall issue a permit to the applicant unless the applicant is not qualified to possess a handgun pursuant to state or federal law or is not otherwise qualified to obtain a permit pursuant to [NRS 202.3653](#) to [202.369](#), inclusive, or the regulations adopted pursuant thereto.

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

3. Within 120 days after a complete application for a permit is submitted, the sheriff to whom the application is submitted shall grant or deny the application. If the application is denied, the sheriff shall send the applicant written notification setting forth the reasons for the denial. If the application is granted, the sheriff shall provide the

applicant with a permit containing a colored photograph of the applicant and containing such other information as may be prescribed by the Department. The permit must be in substantially the following form:

NEVADA CONCEALED FIREARM PERMIT

County.....	Permit Number.....
Expires.....	Date of Birth.....
Height.....	Weight.....
Name.....	Address.....
City.....	Zip.....
	Photograph
Signature.....	
Issued by.....	
Date of Issue.....	

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

5. As used in this section, “National Instant Criminal Background Check System” means the national system created by the federal Brady Handgun Violence Prevention Act, Public Law 103-159.

(Added to NRS by [1995, 2723](#); A [1999, 2094](#); [2001, 614, 620](#); [2003, 13, 2846](#); [2007, 3153](#); [2011, 754, 1781, 3109](#); [2013, 1141](#))

NRS 202.3662 Confidentiality of information about applicant for permit and permittee.

1. Except as otherwise provided in this section and [NRS 202.3665](#) and [239.0115](#):

- (a) An application for a permit, and all information contained within that application;
- (b) All information provided to a sheriff or obtained by a sheriff in the course of the investigation of an applicant or permittee;
- (c) The identity of the permittee; and
- (d) Any records regarding the suspension, restoration or revocation of a permit,
 ↳ are confidential.

2. Any records regarding an applicant or permittee may be released to a law enforcement agency for the purpose of conducting an investigation or prosecution.

3. Statistical abstracts of data compiled by a sheriff regarding permits applied for or issued pursuant to [NRS 202.3653](#) to [202.369](#), inclusive, including, but not limited to, the number of applications received and permits issued, may be released to any person.

(Added to NRS by [1997, 1174](#); A [1999, 851](#); [2007, 2077](#); [2011, 754, 3110](#))

NRS 202.3663 Judicial review of denial of application for permit. If an application for a permit is denied by a sheriff, the applicant who submitted the application may seek a judicial review of the denial by filing a petition in the district court for the county in which the applicant filed the application for a permit. A judicial review conducted pursuant to this section must be limited to a determination of whether the denial was arbitrary, capricious or otherwise characterized by an abuse of discretion and must be conducted in accordance with the procedures set forth in [chapter 233B](#) of NRS for reviewing a final decision of an agency.

(Added to NRS by 1995, 2724; A [2001, 615](#))

NRS 202.3665 Duties of sheriff upon receiving notification that applicant or permittee has been charged with or convicted of crime involving use or threatened use of force or violence.

1. If a sheriff who is processing an application for a permit receives notification pursuant to [NRS 202.3657](#) that the applicant has been:

(a) Charged with a crime involving the use or threatened use of force or violence, the sheriff shall notify any victim of the crime of the fact that the sheriff has, pursuant to [NRS 202.3657](#):

- (1) Suspended the processing of the application until the final disposition of the charges against the applicant; or
- (2) Resumed the processing of the application following the dropping of charges against the applicant or the acquittal of the applicant.

(b) Convicted of a crime involving the use or threatened use of force or violence, the sheriff shall notify any victim of the crime of the fact that the sheriff has, pursuant to [NRS 202.3657](#), denied the application.

2. If a sheriff who has issued a permit to a permittee receives notification pursuant to [NRS 202.3657](#) that the permittee has been:

(a) Charged with a crime involving the use or threatened use of force or violence, the sheriff shall notify any victim of the crime of the fact that the sheriff has, pursuant to [NRS 202.3657](#):

(1) Suspended the permit of the permittee until the final disposition of the charges against the permittee; or

(2) Restored the permit of the permittee following the dropping of charges against the permittee or the acquittal of the permittee.

(b) Convicted of a crime involving the use or threatened use of force or violence, the sheriff shall notify any victim of the crime of the fact that the sheriff has, pursuant to [NRS 202.3657](#), revoked the permit of the permittee.

3. The sheriff shall notify a victim pursuant to subsection 1 or 2 not later than 10 days after the date on which the sheriff performs one of the actions listed in subsection 1 or 2 concerning an application or a permit.

(Added to NRS by [1999, 850](#))

NRS 202.3667 Permittee to carry permit and proper identification when in possession of concealed firearm; penalty.

1. Each permittee shall carry the permit, or a duplicate issued pursuant to the provisions of [NRS 202.367](#), together with proper identification whenever the permittee is in actual possession of a **concealed firearm**. Both the permit and proper identification must be presented if requested by a peace officer.

2. A permittee who violates the provisions of this section is subject to a civil penalty of \$25 for each violation.

(Added to NRS by 1995, 2724)

NRS 202.367 Duplicate permit; notification to sheriff of recovered permit; penalty.

1. A permittee shall notify the sheriff who issued his or her permit in writing within 30 days if the permittee's:

(a) Permanent address changes; or

(b) Permit is lost, stolen or destroyed.

2. The sheriff shall issue a duplicate permit to a permittee if the permittee:

(a) Submits a written statement to the sheriff, signed under oath, stating that his or her permit has been lost, stolen or destroyed; and

(b) Pays a nonrefundable fee of \$15.

3. If any permittee subsequently finds or recovers his or her permit after being issued a duplicate permit pursuant to this section, the permittee shall, within 10 days:

(a) Notify the sheriff in writing; and

(b) Return the duplicate permit to the sheriff.

4. A permittee who fails to notify a sheriff pursuant to the provisions of this section is subject to a civil penalty of \$25.

(Added to NRS by 1995, 2724)

NRS 202.3673 Permittee authorized to carry concealed firearm while on premises of public building; exceptions; penalty.

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

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

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

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

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

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

- (a) A permittee who is a judge from carrying a **concealed firearm** in the courthouse or courtroom in which the judge presides or from authorizing a permittee to carry a **concealed firearm** while in the courtroom of the judge and while traveling to and from the courtroom of the judge.
 - (b) A permittee who is a prosecuting attorney of an agency or political subdivision of the United States or of this State from carrying a **concealed firearm** while he or she is on the premises of a public building.
 - (c) A permittee who is employed in the public building from carrying a **concealed firearm** while he or she is on the premises of the public building.
 - (d) 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 to carry a **concealed firearm** while the permittee is on the premises of the public building.
5. A person who violates subsection 2 or 3 is guilty of a misdemeanor.
6. As used in this section:
- (a) “Child care facility” has the meaning ascribed to it in paragraph (a) of subsection 5 of [NRS 202.265](#).
 - (b) “Public building” means any building or office space occupied by:
 - (1) Any component of the Nevada System of Higher Education and used for any purpose related to the System; or
 - (2) The Federal Government, the State of Nevada or any county, city, school district or other political subdivision of the State of Nevada and used for any public purpose.
 ➤ If only part of the building is occupied by an entity described in this subsection, the term means only that portion of the building which is so occupied.
- (Added to NRS by 1995, 2725; A [1997, 63](#); [1999, 2767](#); [2007, 1914](#))

NRS 202.3677 Application for renewal of permit; fees; demonstrated continued competence required.

- 1. If a permittee wishes to renew his or her permit, the permittee must:
 - (a) Complete and submit to the sheriff who issued the permit an application for renewal of the permit; and
 - (b) Undergo an investigation by the sheriff pursuant to [NRS 202.366](#) to determine if the permittee is eligible for a permit.
 - 2. An application for the renewal of a permit must:
 - (a) Be completed and signed under oath by the applicant;
 - (b) Contain a statement that the applicant is eligible to receive a permit pursuant to [NRS 202.3657](#);
 - (c) Be accompanied by a nonrefundable fee equal to the nonvolunteer rate charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation to obtain the reports required pursuant to subsection 1 of [NRS 202.366](#); and
 - (d) Be accompanied by a nonrefundable fee of \$25.
 ➤ If a permittee fails to renew his or her permit on or before the date of expiration of the permit, the application for renewal must include an additional nonrefundable late fee of \$15.
 - 3. No permit may be renewed pursuant to this section unless the permittee has demonstrated continued competence with **revolvers, semiautomatic firearms or both**, as applicable, by successfully completing a course prescribed by the sheriff renewing the permit.
- (Added to NRS by 1995, 2725; A [2007, 3154](#); [2011, 755](#), [1782](#), [3110](#))

NRS 202.3678 Application for certification as qualified retired law enforcement officer; law enforcement agency required to offer certain officers opportunity to obtain qualifications necessary for certification; fees.

- 1. A retired law enforcement officer who is a resident of this State may apply, on a form prescribed by regulation of the Department, to the sheriff of the county in which he or she resides for any certification required pursuant to 18 U.S.C. § 926C(d) to become a qualified retired law enforcement officer. Application forms for certification must be provided by the sheriff of each county upon request.
- 2. A law enforcement agency in this State shall offer a retired law enforcement officer who retired from the law enforcement agency the opportunity to obtain the **firearms qualification** that is necessary to obtain the certification from the sheriff pursuant to subsection 1 at least twice per year at the same facility at which the law enforcement agency provides **firearms training** for its active law enforcement officers. The law enforcement agency may impose a nonrefundable fee in the amount necessary to pay the expenses for providing the firearms qualification.
- 3. The sheriff shall provide the certification pursuant to subsection 1 to a retired law enforcement officer who submits a completed application and pays any fee required pursuant to this subsection if the sheriff determines that the officer meets the standards for training and qualifications. The sheriff may impose a nonrefundable fee in the amount necessary to pay the expenses in providing the certification.
- 4. As used in this section:

- (a) “Law enforcement agency” has the meaning ascribed to it in [NRS 239C.065](#).
(b) “Qualified retired law enforcement officer” has the meaning ascribed to it in 18 U.S.C. § 926C.
(Added to NRS by [2005, 593](#); A [2009, 563](#))

NRS 202.368 Fees to be deposited with county treasurer. All fees collected pursuant to the provisions of [NRS 202.3653](#) to [202.369](#), inclusive, must be deposited with the county treasurer of the county in which the fees are collected and:

1. If the county has a metropolitan police department created pursuant to [chapter 280](#) of NRS, credited to the general fund of that metropolitan police department; or
 2. If the county does not have a metropolitan police department created pursuant to [chapter 280](#) of NRS, credited to the general fund of that county.
- (Added to NRS by 1995, 2725; A [2005, 596](#))

NRS 202.3683 Immunity of state and local governments from civil liability. The State or any political subdivision of the State, the Department, a sheriff, law enforcement agency, firearm safety or training instructor or any other person who, in good faith and without gross negligence, acts pursuant to the provisions of [NRS 202.3653](#) to [202.369](#), inclusive, is immune from civil liability for those acts. Such acts include, but are not limited to, the receipt, review or investigation of an application for a permit, the certification of a retired law enforcement officer, or the issuance, denial, suspension, revocation or renewal of a permit.
(Added to NRS by 1995, 2725; A [2005, 596](#))

NRS 202.3687 Temporary permits.

1. The provisions of [NRS 202.3653](#) to [202.369](#), inclusive, do not prohibit a sheriff from issuing a temporary permit. A temporary permit may include, but is not limited to, provisions specifying the period for which the permit is valid.
 2. Each sheriff who issues a permit pursuant to the provisions of [NRS 202.3653](#) to [202.369](#), inclusive, shall provide such information concerning the permit and the person to whom it is issued to the Central Repository for Nevada Records of Criminal History.
- (Added to NRS by 1995, 2726; A [1999, 2095](#); [2007, 3154](#))

NRS 202.3688 Circumstances in which holder of permit issued by another state may carry concealed firearm in this State; holder of permit issued by another state subject to same restrictions and requirements as holder of permit issued in this State.

1. Except as otherwise provided in subsection 2, a person who possesses a permit to carry a **concealed firearm** that was issued by a state included in the list prepared pursuant to [NRS 202.3689](#) may carry a **concealed firearm** in this State in accordance with the requirements set forth in [NRS 202.3653](#) to [202.369](#), inclusive.
 2. A person who possesses a permit to carry a **concealed firearm** that was issued by a state included in the list prepared pursuant to [NRS 202.3689](#) may not carry a **concealed firearm** in this State if the person:
 - (a) Becomes a resident of this State; and
 - (b) Has not been issued a permit from the sheriff of the county in which he or she resides within 60 days after becoming a resident of this State.
 3. A person who carries a **concealed firearm** pursuant to this section is subject to the same legal restrictions and requirements imposed upon a person who has been issued a permit by a sheriff in this State.
- (Added to NRS by [2007, 3150](#))

NRS 202.3689 Department to prepare list of states that meet certain requirements concerning permits; Department to provide copy of list to law enforcement agencies in this State; Department to make list available to public.

1. On or before July 1 of each year, the Department shall:
 - (a) Examine the requirements for the issuance of a permit to carry a **concealed firearm** in each state and determine whether the requirements of each state are substantially similar to or **more stringent than the requirements set forth in [NRS 202.3653](#) to [202.369](#), inclusive.**
 - (b) Determine whether each state has an electronic database which identifies each individual who possesses a valid permit to carry a **concealed firearm** issued by that state and which a law enforcement officer in this State may access at all times through a national law enforcement telecommunications system.
 - (c) Prepare a list of states that meet the requirements of paragraphs (a) and (b). A state must not be included in the list unless **the Nevada Sheriffs’ and Chiefs’ Association agrees** with the Department that the state should be included in the list.

- (d) Provide a copy of the list prepared pursuant to paragraph (c) to each law enforcement agency in this State.
 2. The Department shall, upon request, make the list prepared pursuant to subsection 1 available to the public.
- (Added to NRS by [2007, 3150](#))

NRS 202.369 Regulations. The Department may adopt such regulations as are necessary to carry out the provisions of [NRS 202.3653](#) to [202.369](#), inclusive. Added to NRS by 1995, 2726; A [2005, 596](#)

NRS 202.370 Definitions. As used in [NRS 202.370](#) to [202.440](#), inclusive:

1. “Shell,” “cartridge” or “bomb” includes all shells, cartridges or bombs capable of being discharged or exploded, when such discharge or explosions will cause or permit the release or emission of tear gas.
 2. “Tear gas” includes all liquid, gaseous or solid substances intended to produce temporary physical discomfort or permanent injury through being vaporized or otherwise dispersed in the air. The term does not include a liquid, gaseous or solid substance whose active ingredient is composed of natural substances or products derived from natural substances which cause no permanent injury through being vaporized or otherwise dispersed in the air.
 3. “Weapon designed for the use of such shell, cartridge or bomb” includes all revolvers, pistols, fountain pen guns, billies, riot guns or other form of device, portable or fixed, intended for the projection or release of tear gas except those regularly manufactured and sold for use with firearm ammunition.
- [2:273:1955]—(NRS A 1977, 887; 1981, 2051)

NRS 202.450 Definition.

1. A public nuisance is a crime against the order and economy of the State.
2. Every place:
 - (a) Wherein any gambling, bookmaking or pool selling is conducted without a license as provided by law, or wherein any swindling game or device, or bucket shop, or any agency therefor is conducted, or any article, apparatus or device useful therefor is kept;
 - (b) Wherein any fighting between animals or birds is conducted;
 - (c) Wherein any dog races are conducted as a gaming activity;
 - (d) Wherein any intoxicating liquors are kept for unlawful use, sale or distribution;
 - (e) Wherein a controlled substance, immediate precursor or controlled substance analog is unlawfully sold, served, stored, kept, manufactured, used or given away;
 - (f) That is regularly and continuously used by the members of a criminal gang to engage in, or facilitate the commission of, crimes by the criminal gang; or
 - (g) Where vagrants resort,
↳ is a public nuisance.
3. Every act unlawfully done and every omission to perform a duty, which act or omission:
 - (a) Annoys, injures or endangers the safety, health, comfort or repose of any considerable number of persons;
 - (b) Offends public decency;
 - (c) Unlawfully interferes with, befouls, obstructs or tends to obstruct, or renders dangerous for passage, a lake, navigable river, bay, stream, canal, ditch, millrace or basin, or a public park, square, street, alley, bridge, causeway or highway; or
 - (d) In any way renders a considerable number of persons insecure in life or the use of property,
↳ is a public nuisance.
4. A building or place which was used for the purpose of unlawfully manufacturing a controlled substance, immediate precursor or controlled substance analog is a public nuisance if the building or place has not been deemed safe for habitation by the board of health and:
 - (a) The owner of the building or place allows the building or place to be used for any purpose before all materials or substances involving the controlled substance, immediate precursor or controlled substance analog have been removed from or remediated on the building or place by an entity certified or licensed to do so; or
 - (b) The owner of the building or place fails to have all materials or substances involving the controlled substance, immediate precursor or controlled substance analog removed from or remediated on the building or place by an entity certified or licensed to do so within 180 days after the building or place is no longer used for the purpose of unlawfully manufacturing a controlled substance, immediate precursor or controlled substance analog.
5. Agricultural activity conducted on farmland consistent with good agricultural practice and established before surrounding nonagricultural activities is not a public nuisance unless it has a substantial adverse effect on the public health or safety. It is presumed that an agricultural activity which does not violate a federal, state or local law, ordinance or regulation constitutes good agricultural practice.

6. A shooting range is not a public nuisance with respect to any noise attributable to the shooting range if the shooting range is in compliance with the provisions of all applicable statutes, ordinances and regulations concerning noise:

(a) As those provisions existed on October 1, 1997, for a shooting range that begins operation on or before October 1, 1997; or

(b) As those provisions exist on the date that the shooting range begins operation, for a shooting range in operation after October 1, 1997.

➤ A shooting range is not subject to any state or local law related to the control of noise that is adopted or amended after the date set forth in paragraph (a) or (b), as applicable, and does not constitute a nuisance for failure to comply with any such law.

7. As used in this section:

(a) “Board of health” has the meaning ascribed to it in [NRS 439.4797](#).

(b) “Controlled substance analog” has the meaning ascribed to it in [NRS 453.043](#).

(c) “Criminal gang” has the meaning ascribed to it in [NRS 193.168](#).

(d) “Immediate precursor” has the meaning ascribed to it in [NRS 453.086](#).

(e) “Shooting range” has the meaning ascribed to it in [NRS 40.140](#).

[1911 C&P § 296; A 1941, 64; 1949, 143; 1943 NCL § 10244]—(NRS A 1973, 463; 1977, 1039; 1985, 874; [1997, 951, 1472, 1473, 3129](#); [1999, 641](#); [2007, 3129](#); [2009, 827, 1311](#))

NRS 203.080 Armed association.

1. It shall be unlawful for any body of individuals other than municipal police, university or public school cadets or companies, militia of the State or troops of the United States, **to associate themselves together as a military company with arms without the consent of the Governor**; but members of social and benevolent associations are not prohibited from wearing swords.

2. Every person who shall associate with others in violation of this section shall be guilty of a misdemeanor.

[1911 C&P § 339; RL § 6604; NCL § 10287]—(NRS A 1967, 1341)

NRS 205.060 Burglary: Definition; penalties; venue.

1. A person who, by day or night, enters any house, room, apartment, tenement, shop, warehouse, store, mill, barn, stable, outhouse or other building, tent, vessel, vehicle, vehicle trailer, semitrailer or house trailer, airplane, glider, boat or railroad car, with the intent to commit grand or petit larceny, assault or battery on any person or any felony, or to obtain money or property by false pretenses, is guilty of burglary.

2. Except as otherwise provided in this section, a person convicted of burglary is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. A person who is convicted of burglary and who has previously been convicted of burglary or another crime involving the forcible entry or invasion of a dwelling must not be released on probation or granted a suspension of sentence.

3. Whenever a burglary is committed on a vessel, vehicle, vehicle trailer, semitrailer, house trailer, airplane, glider, boat or railroad car, in motion or in rest, in this State, and it cannot with reasonable certainty be ascertained in what county the crime was committed, the offender may be arrested and tried in any county through which the vessel, vehicle, vehicle trailer, semitrailer, house trailer, airplane, glider, boat or railroad car traveled during the time the burglary was committed.

4. **A person convicted of burglary who has in his or her possession or gains possession of any firearm or deadly weapon at any time during the commission of the crime**, at any time before leaving the structure or upon leaving the structure, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$10,000.

[1911 C&P § 369; A 1953, 31]—(NRS A 1967, 494; 1968, 45; 1971, 1161; 1979, 1440; 1981, 551; 1983, 717; 1989, 1207; 1995, 1215; [2005, 416](#))

NRS 205.067 Invasion of the home: Definition; penalties; venue.

1. A person who, by day or night, forcibly enters an inhabited dwelling without permission of the owner, resident or lawful occupant, whether or not a person is present at the time of the entry, is guilty of invasion of the home.

2. A person convicted of invasion of the home is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. A person who is convicted of invasion of

the home and who has previously been convicted of burglary or invasion of the home must not be released on probation or granted a suspension of sentence.

3. Whenever an invasion of the home is committed on a vessel, vehicle, vehicle trailer, semitrailer, house trailer, airplane, glider, boat or railroad car, in motion or in rest, in this State, and it cannot with reasonable certainty be ascertained in what county the crime was committed, the offender may be arrested and tried in any county through which the conveyance, vessel, boat, vehicle, house trailer, travel trailer, motor home or railroad car traveled during the time the invasion was committed.

4. A person convicted of invasion of the home who has in his or her possession or gains possession of any firearm or deadly weapon at any time during the commission of the crime, at any time before leaving the structure or upon leaving the structure, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$10,000.

5. As used in this section:

(a) "Forcibly enters" means the entry of an inhabited dwelling involving any act of physical force resulting in damage to the structure.

(b) "Inhabited dwelling" means any structure, building, house, room, apartment, tenement, tent, conveyance, vessel, boat, vehicle, house trailer, travel trailer, motor home or railroad car in which the owner or other lawful occupant resides.

(Added to NRS by 1989, 1452; A 1995, 1215)

NRS 205.226 Grand larceny of firearm; penalty.

1. A person who intentionally steals, takes and carries away a firearm owned by another person commits grand larceny of a firearm.

2. A person who commits grand larceny of a firearm is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000.

3. In addition to any other penalty, the court shall order the person who committed the grand larceny of the firearm to pay restitution.

(Added to NRS by [1997, 340](#))

NRS 207.200 Unlawful trespass upon land; warning against trespassing.

1. Unless a greater penalty is provided pursuant to [NRS 200.603](#), any person who, under circumstances not amounting to a burglary:

(a) Goes upon the land or into any building of another with intent to vex or annoy the owner or occupant thereof, or to commit any unlawful act; or

(b) Willfully goes or remains upon any land or in any building after having been warned by the owner or occupant thereof not to trespass,

is guilty of a misdemeanor. The meaning of this subsection is not limited by subsections 2 and 4.

2. A sufficient warning against trespassing, within the meaning of this section, is given by any of the following methods:

(a) If the land is used for agricultural purposes or for herding or grazing livestock, by painting with fluorescent orange paint:

(1) Not less than 50 square inches of the exterior portion of a structure or natural object or the top 12 inches of the exterior portion of a post, whether made of wood, metal or other material, at:

(I) Intervals of such a distance as is necessary to ensure that at least one such structure, natural object or post would be within the direct line of sight of a person standing next to another such structure, natural object or post, but at intervals of not more than 1,000 feet; and

(II) Each corner of the land, upon or near the boundary; and

(2) Each side of all gates, cattle guards and openings that are designed to allow human ingress to the area;

(b) If the land is not used in the manner specified in paragraph (a), by painting with fluorescent orange paint not less than 50 square inches of the exterior portion of a structure or natural object or the top 12 inches of the exterior portion of a post, whether made of wood, metal or other material, at:

(1) Intervals of such a distance as is necessary to ensure that at least one such structure, natural object or post would be within the direct line of sight of a person standing next to another such structure, natural object or post, but at intervals of not more than 200 feet; and

(2) Each corner of the land, upon or near the boundary;

- (c) Fencing the area; or
 - (d) By the owner or occupant of the land or building making an oral or written demand to any guest to vacate the land or building.
3. It is prima facie evidence of trespass for any person to be found on private or public property which is posted or fenced as provided in subsection 2 without lawful business with the owner or occupant of the property.
4. An entryman on land under the laws of the United States is an owner within the meaning of this section.
5. As used in this section:
- (a) "Fence" means a barrier sufficient to indicate an intent to restrict the area to human ingress, including, but not limited to, a wall, hedge or chain link or wire mesh fence. The term does not include a barrier made of barbed wire.
 - (b) "Guest" means any person entertained or to whom hospitality is extended, including, but not limited to, any person who stays overnight. The term does not include a tenant as defined in [NRS 118A.170](#). [1911 C&P § 500; RL § 6765; NCL § 10447]—(NRS A 1969, 96; 1975, 1169; 1987, 2086; 1989, 997; [2005, 930](#); [2007, 981](#); [2009, 141](#))

NRS 207.360 "Crime related to racketeering" defined. "Crime related to racketeering" means the commission of, attempt to commit or conspiracy to commit any of the following crimes:

- 1. Murder;
 - 2. Manslaughter, except vehicular manslaughter as described in [NRS 484B.657](#);
 - 3. Mayhem;
 - 4. Battery which is punished as a felony;
 - 5. Kidnapping;
 - 6. Sexual assault;
 - 7. Arson;
 - 8. Robbery;
 - 9. Taking property from another under circumstances not amounting to robbery;
 - 10. Extortion;
 - 11. Statutory sexual seduction;
 - 12. Extortionate collection of debt in violation of [NRS 205.322](#);
 - 13. Forgery;
 - 14. Any violation of [NRS 199.280](#) which is punished as a felony;
 - 15. Burglary;
 - 16. Grand larceny;
 - 17. Bribery or asking for or receiving a bribe in violation of [chapter 197](#) or [199](#) of NRS which is punished as a felony;
 - 18. Battery with intent to commit a crime in violation of [NRS 200.400](#);
 - 19. Assault with a deadly weapon;
 - 20. Any violation of [NRS 453.232](#), [453.316](#) to [453.3395](#), inclusive, or [453.375](#) to [453.401](#), inclusive;
 - 21. Receiving or transferring a stolen vehicle;
 - 22. Any violation of [NRS 202.260](#), [202.275](#) or [202.350](#) which is punished as a felony;
 - 23. Any violation of subsection 2 or 3 of [NRS 463.360](#) or [chapter 465](#) of NRS;
 - 24. Receiving, possessing or withholding stolen goods valued at \$650 or more;
 - 25. Embezzlement of money or property valued at \$650 or more;
 - 26. Obtaining possession of money or property valued at \$650 or more, or obtaining a signature by means of false pretenses;
 - 27. Perjury or subornation of perjury;
 - 28. Offering false evidence;
 - 29. Any violation of [NRS 201.300](#) or [201.360](#);
 - 30. Any violation of [NRS 90.570](#), [91.230](#) or [686A.290](#), or insurance fraud pursuant to [NRS 686A.291](#);
 - 31. Any violation of [NRS 205.506](#), [205.920](#) or [205.930](#);
 - 32. Any violation of [NRS 202.445](#) or [202.446](#); or
 - 33. Any violation of [NRS 205.377](#).
- (Added to NRS by 1983, 1495; A 1989, 18, 160; 1991, 124, 161; [1997, 493](#); [1999, 2642](#); [2001, 1100](#); [2003, 2951](#); [2005, 79](#); [2009, 144](#); [2011, 173](#))

NRS 212.185 Possession or control of dangerous weapon or facsimile by incarcerated person prohibited.

1. A person who is incarcerated in the state prison or any county or city jail or detention facility or other correctional facility in this State, or is transferred for medical or psychiatric treatment at another institution, or is in transit to or from such facility, or is in the legal custody of any correctional officer or employee, and who possesses or has in his or her custody or control any:

(a) Instrument or weapon of the kind commonly known as a blackjack, slingshot, billy, sand-club, sandbag or metal knuckles;

(b) Explosive substance, including **fixed ammunition**, or any incendiary or explosive device;

(c) Dirk, dagger, switchblade knife or sharp instrument;

(d) **Pistol, revolver or other firearm**;

(e) **Facsimile of a firearm or an explosive**;

(f) **Device capable of propelling a projectile with sufficient force to cause bodily harm, including, but not limited to, a pellet gun, slingshot, blowgun, crossbow or bow and arrow; or**

(g) **Other similar weapon, instrument or device,**

↳ is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years.

2. For the purposes of this section, incarceration begins upon assignment to a cell or other place within the correctional facility after completion of the initial booking procedure.

(Added to NRS by 1977, 269; A 1985, 596; 1989, 1177; 1995, 1257)

NRS 213.090 Pardon: Restoration of civil rights; relieved of disabilities; limitations.

1. A person who is granted a full, unconditional pardon by the Board is restored to all civil rights, including, without limitation, **the right to bear arms**, and is relieved of all disabilities incurred upon conviction.

2. A pardon granted by the Board shall be deemed to be a full, unconditional pardon unless the official document issued pursuant to subsection 3 explicitly limits the restoration of the civil rights of the person or does not relieve the person of all disabilities incurred upon conviction.

3. Upon being granted a pardon by the Board, a person so pardoned must be given an official document which provides that the person has been granted a pardon. If the person is restored to the **right to bear arms**, the official document must explicitly state that the person is restored to the **right to bear arms**. If the person has not been granted a full, unconditional pardon, the official document must explicitly state all limitations on the restoration of the civil rights of the person and all disabilities incurred upon conviction from which the person is not relieved.

4. A person who has been granted a pardon in this State or elsewhere and whose official documentation of his or her pardon is lost, damaged or destroyed may file a written request with a court of competent jurisdiction to restore his or her civil rights pursuant to this section. Upon verification that the person has been granted a pardon and is eligible to be restored to his or her civil rights, the court shall issue an order restoring the person to his or her civil rights. A person must not be required to pay a fee to receive such an order.

5. A person who has been granted a pardon in this State or elsewhere may present:

(a) Official documentation of his or her pardon; or

(b) A court order restoring his or her civil rights,

↳ as proof that the person has been restored to his or her civil rights.

[Part 5:149:1933; 1931 NCL § 11573]—(NRS A 1973, 1845; 1977, 665; [2001, 1696](#); [2003, 2692](#); [2005, 2907](#); [2011, 24](#))

NRS 213.10985 Seizure, custody, use and sale of dangerous instrument or weapon.

1. A parole or probation officer shall immediately deliver to the Division any seized, abandoned or unclaimed instrument or **weapon described in NRS 202.350** which the parole or probation officer obtains in the pursuance of his or her duty, unless the parole or probation officer is required to retain it as evidence pursuant to a court order or directive of the Attorney General or a district attorney. Property retained as evidence must be placed in a secured locker for evidence at a law enforcement agency in this state and when released from evidence must be immediately delivered to the Division.

2. The Division shall:

(a) Destroy or direct to be **destroyed the instrument or weapon** if it is determined to be dangerous to the safety of the public.

(b) **Return an instrument or weapon** which has not been destroyed pursuant to paragraph (a), upon demand, to any person other than a parolee or probationer:

(1) From whom it was confiscated if that person is acquitted of the public offense or crime of which that person was charged; or

(2) Who otherwise claims and establishes ownership of it. Any such instrument or weapon which is not destroyed, returned or claimed within 1 year after the Division comes into possession of it becomes the property of the Division.

3. The Chief Parole and Probation Officer shall at least once a year order the officers who have custody of such instruments and weapons that have become the property of the Division to:

(a) Retain the instrument or weapon for official use by the Division.

(b) Deliver the instruments and weapons to another custodial officer of the Division to be sold.

(c) Sell any such instrument or weapon to another law enforcement agency at a price not less than its prevailing market value.

(d) Sell all unretained and unsold instruments and weapons at a public auction to be held at least once in each year, after notice of such public auction describing the instrument or weapons to be sold is published once a week for 2 weeks immediately preceding the date of the auction in a newspaper of general circulation in the county or city of the sale.

4. All proceeds of the sales provided for in subsection 3 must be deposited with the State Treasurer for credit to the State General Fund.

5. Any officer receiving an order as provided in subsection 3 shall comply with such order as soon as practicable.

6. The Division shall keep accurate records of all instruments and weapons governed by this section.

(Added to NRS by 1981, 371; A 1993, 1525)

NRS 244.364 Limited authority to regulate firearms; restrictions concerning registration of certain firearms in county whose population is 700,000 or more.

1. Except as otherwise provided by specific statute, the Legislature reserves for itself such rights and powers as are necessary to regulate the transfer, sale, purchase, possession, ownership, transportation, registration and licensing of firearms and ammunition in Nevada, and no county may infringe upon those rights and powers. As used in this subsection, "firearm" means any weapon from which a projectile is discharged by means of an explosive, spring, gas, air or other force.

2. A board of county commissioners may proscribe by ordinance or regulation the unsafe discharge of firearms.

3. If a board of county commissioners in a county whose population is 700,000 or more has required by ordinance or regulation adopted before June 13, 1989, the registration of a firearm capable of being concealed, the board of county commissioners shall amend such an ordinance or regulation to require:

(a) A period of at least 60 days of residency in the county before registration of such a firearm is required.

(b) A period of at least 72 hours for the registration of a pistol by a resident of the county upon transfer of title to the pistol to the resident by purchase, gift or any other transfer.

4. Except as otherwise provided in subsection 1, as used in this section:

(a) "Firearm" means any device designed to be used as a weapon from which a projectile may be expelled through the barrel by the force of any explosion or other form of combustion.

(b) "Firearm capable of being concealed" includes all firearms having a barrel less than 12 inches in length.

(c) "Pistol" means a firearm capable of being concealed that is intended to be aimed and fired with one hand.

(Added to NRS by 1989, 652; A 2007, 1289; 2011, 1109)

NRS 268.418 Limited authority to regulate firearms; restrictions concerning registration of firearms in city in county whose population is 700,000 or more.

1. Except as otherwise provided by specific statute, the Legislature reserves for itself such rights and powers as are necessary to regulate the transfer, sale, purchase, possession, ownership, transportation, registration and licensing of firearms and ammunition in Nevada, and no city may infringe upon those rights and powers. As used in this subsection, "firearm" means any weapon from which a projectile is discharged by means of an explosive, spring, gas, air or other force.

2. The governing body of a city may proscribe by ordinance or regulation the unsafe discharge of firearms.

3. If the governing body of a city in a county whose population is 700,000 or more has required by ordinance or regulation adopted before June 13, 1989, the registration of a firearm capable of being concealed, the governing body shall amend such an ordinance or regulation to require:

(a) A period of at least 60 days of residency in the city before registration of such a firearm is required.

(b) A period of at least 72 hours for the registration of a pistol by a resident of the city upon transfer of title to the pistol to the resident by purchase, gift or any other transfer.

4. Except as otherwise provided in subsection 1, as used in this section:

- (a) “Firearm” means any device designed to be used as a weapon from which a projectile may be expelled through the barrel by the force of any explosion or other form of combustion.
 - (b) “Firearm capable of being concealed” includes all firearms having a barrel less than 12 inches in length.
 - (c) “Pistol” means a firearm capable of being concealed that is intended to be aimed and fired with one hand.
- (Added to NRS by 1989, 652; A [2007, 1289](#); [2011, 1159](#))

NRS 269.222 Limited authority to regulate firearms; restrictions concerning registration of firearms in town in county whose population is 700,000 or more.

1. Except as otherwise provided by specific statute, the Legislature reserves for itself such rights and powers as are necessary to regulate the transfer, sale, purchase, possession, ownership, transportation, registration and licensing of firearms and ammunition in Nevada, and no town may infringe upon those rights and powers. As used in this subsection, “firearm” means any weapon from which a projectile is discharged by means of an explosive, spring, gas, air or other force.
 2. A town board may proscribe by ordinance or regulation the unsafe discharge of firearms.
 3. If a town board in a county whose population is 700,000 or more has required by ordinance or regulation adopted before June 13, 1989, the registration of a firearm capable of being concealed, the town board shall amend such an ordinance or regulation to require:
 - (a) A period of at least 60 days of residency in the town before registration of such a firearm is required.
 - (b) A period of at least 72 hours for the registration of a pistol by a resident of the town upon transfer of title to the pistol to the resident by purchase, gift or any other transfer.
 4. Except as otherwise provided in subsection 1, as used in this section:
 - (a) “Firearm” means any device designed to be used as a weapon from which a projectile may be expelled through the barrel by the force of any explosion or other form of combustion.
 - (b) “Firearm capable of being concealed” includes all firearms having a barrel less than 12 inches in length.
 - (c) “Pistol” means a firearm capable of being concealed that is intended to be aimed and fired with one hand.
- (Added to NRS by 1989, 652; A [2007, 1290](#); [2011, 1165](#))

NRS 386.585 Adoption and distribution of rules of behavior and punishments; procedure for suspension or expulsion of pupils; adoption of rules for truancy.

1. A governing body of a charter school shall adopt:
 - (a) Written rules of behavior required of and prohibited for pupils attending the charter school; and
 - (b) Appropriate punishments for violations of the rules.
2. Except as otherwise provided in subsection 3, if suspension or expulsion of a pupil is used as a punishment for a violation of the rules, the charter school shall ensure that, before the suspension or expulsion, the pupil has been given notice of the charges against him or her, an explanation of the evidence and an opportunity for a hearing. The provisions of [chapter 241](#) of NRS do not apply to any hearing conducted pursuant to this section. Such a hearing must be closed to the public.
3. A pupil who poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process or who is selling or distributing any controlled substance or who is found to be in possession of a dangerous weapon as provided in [NRS 392.466](#) may be removed from the charter school immediately upon being given an explanation of the reasons for his or her removal and pending proceedings, which must be conducted as soon as practicable after removal, for suspension or expulsion of the pupil.
4. A pupil who is enrolled in a charter school and participating in a program of special education pursuant to [NRS 388.520](#), other than a pupil who is gifted and talented or who receives early intervening services, may, in accordance with the procedural policy adopted by the governing body of the charter school for such matters, be:
 - (a) Suspended from the charter school pursuant to this section for not more than 10 days.
 - (b) Suspended from the charter school for more than 10 days or permanently expelled from school pursuant to this section only after the governing body has reviewed the circumstances and determined that the action is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq.
5. A copy of the rules of behavior, prescribed punishments and procedures to be followed in imposing punishments must be:
 - (a) Distributed to each pupil at the beginning of the school year and to each new pupil who enters school during the year.
 - (b) Available for public inspection at the charter school.
6. The governing body of a charter school may adopt rules relating to the truancy of pupils who are enrolled in the charter school if the rules are at least as restrictive as the provisions governing truancy set forth in [NRS 392.130](#) to

[392.220](#), inclusive. If a governing body adopts rules governing truancy, it shall include the rules in the written rules adopted by the governing body pursuant to subsection 1.
(Added to NRS by [1997, 1851](#); A [2009, 752](#))

NRS 392.466 Suspension or expulsion of pupil for battery on employee of school, possession of firearm or dangerous weapon, sale or distribution of controlled substance or status as habitual disciplinary problem; limitations for pupils with disabilities.

1. Except as otherwise provided in this section, any pupil who commits a battery which results in the bodily injury of an employee of the school or who sells or distributes any controlled substance while on the premises of any public school, at an activity sponsored by a public school or on any school bus must, for the first occurrence, be suspended or expelled from that school, although the pupil may be placed in another kind of school, for at least a period equal to one semester for that school. For a second occurrence, the pupil must be permanently expelled from that school and:

(a) Enroll in a private school pursuant to [chapter 394](#) of NRS or be homeschooled; or

(b) Enroll in a program of independent study provided pursuant to [NRS 389.155](#) for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to [NRS 388.820](#) to [388.874](#), inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

2. Except as otherwise provided in this section, any pupil who is found in possession of a firearm or a dangerous weapon while on the premises of any public school, at an activity sponsored by a public school or on any school bus must, for the first occurrence, be expelled from the school for a period of not less than 1 year, although the pupil may be placed in another kind of school for a period not to exceed the period of the expulsion. For a second occurrence, the pupil must be permanently expelled from the school and:

(a) Enroll in a private school pursuant to [chapter 394](#) of NRS or be homeschooled; or

(b) Enroll in a program of independent study provided pursuant to [NRS 389.155](#) for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to [NRS 388.820](#) to [388.874](#), inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

↳ The superintendent of schools of a school district may, for good cause shown in a particular case in that school district, allow a modification to the expulsion requirement of this subsection if such modification is set forth in writing.

3. Except as otherwise provided in this section, if a pupil is deemed a habitual disciplinary problem pursuant to [NRS 392.4655](#), the pupil must be suspended or expelled from the school for a period equal to at least one semester for that school. For the period of the pupil's suspension or expulsion, the pupil must:

(a) Enroll in a private school pursuant to [chapter 394](#) of NRS or be homeschooled; or

(b) Enroll in a program of independent study provided pursuant to [NRS 389.155](#) for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to [NRS 388.820](#) to [388.874](#), inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

4. This section does not prohibit a pupil from having in his or her possession a knife or firearm with the approval of the principal of the school. A principal may grant such approval only in accordance with the policies or regulations adopted by the board of trustees of the school district.

5. Any pupil in grades 1 to 6, inclusive, except a pupil who has been found to have possessed a firearm in violation of subsection 2, may be suspended from school or permanently expelled from school pursuant to this section only after the board of trustees of the school district has reviewed the circumstances and approved this action in accordance with the procedural policy adopted by the board for such issues.

6. A pupil who is participating in a program of special education pursuant to [NRS 388.520](#), other than a pupil who is gifted and talented or who receives early intervening services, may, in accordance with the procedural policy adopted by the board of trustees of the school district for such matters, be:

(a) Suspended from school pursuant to this section for not more than 10 days. Such a suspension may be imposed pursuant to this paragraph for each occurrence of conduct proscribed by subsection 1.

(b) Suspended from school for more than 10 days or permanently expelled from school pursuant to this section only after the board of trustees of the school district has reviewed the circumstances and determined that the action is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq.

7. As used in this section:

(a) "Battery" has the meaning ascribed to it in paragraph (a) of subsection 1 of [NRS 200.481](#).

(b) “Dangerous weapon” includes, without limitation, a blackjack, slungshot, billy, sand-club, sandbag, metal knuckles, dirk or dagger, a nunchaku, switchblade knife or trefoil, as defined in [NRS 202.350](#), a butterfly knife or any other knife described in [NRS 202.350](#), or any other object which is used, or threatened to be used, in such a manner and under such circumstances as to pose a threat of, or cause, bodily injury to a person.

(c) “Firearm” includes, without limitation, any pistol, revolver, shotgun, explosive substance or device, and any other item included within the definition of a “firearm” in 18 U.S.C. § 921, as that section existed on July 1, 1995.

8. The provisions of this section do not prohibit a pupil who is suspended or expelled from enrolling in a charter school that is designed exclusively for the enrollment of pupils with disciplinary problems if the pupil is accepted for enrollment by the charter school pursuant to [NRS 386.580](#). Upon request, the governing body of a charter school must be provided with access to the records of the pupil relating to the pupil’s suspension or expulsion in accordance with applicable federal and state law before the governing body makes a decision concerning the enrollment of the pupil.

(Added to NRS by 1985, 1648; A 1987, 1550; 1989, 429; 1991, 628, 1364; 1993, 2161; 1995, 2710; [1997, 2489](#); [1999, 2113, 3317](#); [2001, 1022](#); [2003, 19th Special Session, 81](#); [2005, 1539](#); [2007, 1997, 3038](#); [2009, 756](#))

NRS 393.410 Damage to school property; nuisance; loitering; trespass; penalties.

1. It is unlawful for any person:

- (a) Willfully and maliciously to injure, mark or deface any public schoolhouse, its fixtures, books or appurtenances;
- (b) To commit any nuisance in any public schoolhouse;
- (c) To loiter on or near the school grounds; or
- (d) Purposely and maliciously to commit any trespass upon the grounds attached to a public schoolhouse, or any fixtures placed thereon, or any enclosure or sidewalk about the same.

2. Except as otherwise provided in subsection 3, any person violating any of the provisions of this section is guilty of a public offense, as prescribed in [NRS 193.155](#), proportionate to the value of the property damaged or destroyed and in no event less than a misdemeanor.

3. Any person who is in possession of a dangerous weapon during his or her commission of a violation of paragraph (b), (c) or (d) of subsection 1 is guilty of a gross misdemeanor.

4. As used in this section:

(a) “Dangerous knife” means a knife having a blade that is 2 inches or more in length when measured from the tip of the knife which is customarily sharpened to the unsharpened extension of the blade which forms the hinge connecting the blade to the handle.

(b) “Dangerous weapon” means:

- (1) An explosive or incendiary device;
- (2) A dirk, dagger, switchblade knife or dangerous knife;
- (3) A nunchaku or trefoil;
- (4) A blackjack or billy club or metal knuckles; or
- (5) A pistol, revolver or other firearm.

(c) “Explosive or incendiary device” has the meaning ascribed to it in [NRS 202.253](#).

(d) “Nunchaku” has the meaning ascribed to it in [NRS 202.350](#).

(e) “Switchblade knife” has the meaning ascribed to it in [NRS 202.350](#).

(f) “Trefoil” has the meaning ascribed to it in [NRS 202.350](#).

[415:32:1956]—(NRS A 1967, 567; 1993, 40; [2001, 807](#))

NRS 396.110 Rules of Board.

1. The Board of Regents may prescribe rules for:

- (a) Its own government; and
- (b) The government of the System.

2. The Board of Regents shall prescribe rules for the granting of permission to carry or possess a weapon pursuant to [NRS 202.265](#).

[Part 3:37:1887; A 1917, 52; 1945, 448; 1943 NCL § 7728]—(NRS A 1989, 657; 1993, 341)

NRS 407.0475 Administrator: Regulations; penalty for violation of regulations.

1. The Administrator shall adopt such regulations as he or she finds necessary for carrying out the provisions of this chapter and other provisions of law governing the operation of the Division. Except as otherwise provided in subsection 2, the regulations may include prohibitions and restrictions relating to activities within any of the park or recreational facilities within the jurisdiction of the Division.

2. Any regulations relating to the conduct of persons within the park or recreational facilities must:
 - (a) Be directed toward one or both of the following:
 - (1) Prevention of damage to or misuse of the facility.
 - (2) Promotion of the inspiration, use and enjoyment of the people of this State through the preservation and use of the facility.
 - (b) Apply separately to each park, monument or recreational area and be designed to fit the conditions existing at that park, monument or recreational area.
 - (c) Not establish restrictions on the possession of firearms within the park or recreational facility which are more restrictive than the laws of this State relating to:
 - (1) The possession of firearms; or
 - (2) Engaging in lawful resistance to prevent an offense against a person or property.
- ↳ Any regulation which violates the provisions of this paragraph is void.
3. Any person whose conduct violates any regulation adopted pursuant to subsection 1, and who refuses to comply with the regulation upon request by any ranger or employee of the Division who has the powers of a peace officer pursuant to [NRS 289.260](#), is guilty of a misdemeanor. (Added to NRS by 1973, 978; A 1975, 801; 1977, 1130; 1985, 368; 1993, 2532; [2011, 3111](#))

NRS 412.088 Promotion of practice with rifle and pistol.

1. The Office may adopt and provide suitable medals, prizes or other awards for the promotion of **rifle practice by duly organized rifle clubs of the Nevada Firearms Coalition** and organizations and members of the Nevada National Guard when funds are available and appropriated by the State or the Federal Government.
2. The Adjutant General shall encourage and promote rifle and pistol practice by Nevada clubs affiliated with the National Rifle Association of America, and select and appoint representatives from those clubs to attend the annual national rifle and pistol matches. Not more than \$1,000 of the amount appropriated for the support of the Adjutant General's office may be used annually in the purchase of ammunition to be used by such rifle clubs, which ammunition must be sold at cost plus transportation charges.
(Added to NRS by 1967, 1298; A [1993, 1601](#); [2013, 1109](#))

NRS 414.0355 "Firearm" defined.

"Firearm" means any weapon from which a projectile is discharged by means of an explosive, spring, gas, air or other force. The term includes ammunition for a firearm.
(Added to NRS by [2007, 358](#))

NRS 414.155 Limitations on emergency powers relating to firearms.

Pursuant to Amendment II of the Constitution of the United States and [Section 11 of Article 1](#) of the Constitution of the State of Nevada, and notwithstanding any other provision of law, the emergency powers conferred upon the Governor and upon the executive heads or governing bodies of the political subdivisions of this State must not be construed to allow:

1. The confiscation of a firearm from a person unless the person is:
 - (a) In unlawful possession of the firearm; or
 - (b) Unlawfully carrying the firearm; or
 2. The imposition of additional restrictions as to the lawful possession, transfer, sale, carrying, storage, display or use of:
 - (a) Firearms;
 - (b) Ammunition; or
 - (c) Components of firearms or ammunition.
- (Added to NRS by [2007, 358](#))

NRS 433A.310 Findings and order; expiration and renewal of admission; alternative courses of treatment; transmittal of record to Central Repository for Nevada Records of Criminal History.

1. Except as otherwise provided in [NRS 432B.6076](#) and [432B.6077](#), if the district court finds, after proceedings for the involuntary court-ordered admission of a person to a public or private mental health facility:
 - (a) That there is not clear and convincing evidence that the person with respect to whom the hearing was held has a mental illness or exhibits observable behavior such that the person is likely to harm himself or herself or others if

allowed his or her liberty, the court shall enter its finding to that effect and the person must not be involuntarily detained in such a facility.

(b) That there is clear and convincing evidence that the person with respect to whom the hearing was held has a mental illness and, because of that illness, is likely to harm himself or herself or others if allowed his or her liberty, the court may order the involuntary admission of the person for the most appropriate course of treatment. The order of the court must be interlocutory and must not become final if, within 30 days after the involuntary admission, the person is unconditionally released pursuant to [NRS 433A.390](#).

2. Except as otherwise provided in [NRS 432B.608](#), an involuntary admission pursuant to paragraph (b) of subsection 1 automatically expires at the end of 6 months if not terminated previously by the medical director of the public or private mental health facility as provided for in subsection 2 of [NRS 433A.390](#). Except as otherwise provided in [NRS 432B.608](#), at the end of the court-ordered period of treatment, the Division or any mental health facility that is not operated by the Division may petition to renew the detention of the person for additional periods not to exceed 6 months each. For each renewal, the petition must set forth to the court specific reasons why further treatment would be in the person's own best interests.

3. Before issuing an order for involuntary admission or a renewal thereof, the court shall explore other alternative courses of treatment within the least restrictive appropriate environment as suggested by the evaluation team who evaluated the person, or other persons professionally qualified in the field of psychiatric mental health, which the court believes may be in the best interests of the person.

4. If the court issues an order involuntarily admitting a person to a public or private mental health facility pursuant to this section, the court shall, notwithstanding the provisions of [NRS 433A.715](#), cause, on a form prescribed by the Department of Public Safety, a record of such order to be transmitted to the Central Repository for Nevada Records of Criminal History, along with a statement indicating that the record is being transmitted for inclusion in each appropriate database of the National Instant Criminal Background Check System.

5. As used in this section, "National Instant Criminal Background Check System" has the meaning ascribed to it in [NRS 179A.062](#).

(Added to NRS by 1975, 1606; A 1981, 1134; 1983, 508; 1989, 1761; 1993, 2115; [2001, 3046](#); [2005, 1323](#); [2009, 2491](#))

NRS 453A.300 Acts for which registry identification cardholder is not exempt from state prosecution and may not raise affirmative defense; additional penalty.

1. A person who holds a registry identification card issued to him or her pursuant to [NRS 453A.220](#) or [453A.250](#) is not exempt from state prosecution for, nor may the person establish an affirmative defense to charges arising from, any of the following acts:

(a) Driving, operating or being in actual physical control of a vehicle or a vessel under power or sail while under the influence of marijuana.

(b) Engaging in any other conduct prohibited by [NRS 484C.110](#), [484C.120](#), [484C.130](#), [484C.430](#), subsection 2 of [NRS 488.400](#), [NRS 488.410](#), [488.420](#), [488.425](#) or [493.130](#).

(c) Possessing a firearm in violation of paragraph (b) of subsection 1 of [NRS 202.257](#).

(d) Possessing marijuana in violation of [NRS 453.336](#) or possessing drug paraphernalia in violation of [NRS 453.560](#) or [453.566](#), if the possession of the marijuana or drug paraphernalia is discovered because the person engaged or assisted in the medical use of marijuana in:

(1) Any public place or in any place open to the public or exposed to public view; or

(2) Any local detention facility, county jail, state prison, reformatory or other correctional facility, including, without limitation, any facility for the detention of juvenile offenders.

(e) Delivering marijuana to another person who he or she knows does not lawfully hold a registry identification card issued by the Division or its designee pursuant to [NRS 453A.220](#) or [453A.250](#).

(f) Delivering marijuana for consideration to any person, regardless of whether the recipient lawfully holds a registry identification card issued by the Division or its designee pursuant to [NRS 453A.220](#) or [453A.250](#).

2. Except as otherwise provided in [NRS 453A.225](#) and in addition to any other penalty provided by law, if the Division determines that a person has willfully violated a provision of this chapter or any regulation adopted by the Division to carry out the provisions of this chapter, the Division may, at its own discretion, prohibit the person from obtaining or using a registry identification card for a period of up to 6 months.

(Added to NRS by [2001, 3060](#); A [2005, 169, 689](#); [2009, 623, 1887](#))

NRS 453.301 Property subject to forfeiture. The following are subject to forfeiture pursuant to [NRS 179.1156](#) to [179.119](#), inclusive:

1. All controlled substances which have been manufactured, distributed, dispensed or acquired in violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct.
 2. All raw materials, products and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing or exporting any controlled substance in violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct.
 3. All property which is used, or intended for use, as a container for property described in subsections 1 and 2.
 4. All books, records and research products and materials, including formulas, microfilm, tapes and data, which are used, or intended for use, in violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct.
 5. All conveyances, including aircraft, vehicles or vessels, which are used, or intended for use, to transport, or in any manner to facilitate the transportation, concealment, manufacture or protection, for the purpose of sale, possession for sale or receipt of property described in subsection 1 or 2.
 6. All drug paraphernalia as defined by [NRS 453.554](#) which are used in violation of [NRS 453.560](#), [453.562](#) or [453.566](#) or a law of any other jurisdiction which prohibits the same or similar conduct, or of an injunction issued pursuant to [NRS 453.558](#).
 7. All imitation controlled substances which have been manufactured, distributed or dispensed in violation of the provisions of [NRS 453.332](#) or [453.3611](#) to [453.3648](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct.
 8. All real property and mobile homes used or intended to be used by any owner or tenant of the property or mobile home to facilitate a violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, except [NRS 453.336](#), or used or intended to be used to facilitate a violation of a law of any other jurisdiction which prohibits the same or similar conduct as prohibited in [NRS 453.011](#) to [453.552](#), inclusive, except [NRS 453.336](#). As used in this subsection, “tenant” means any person entitled, under a written or oral rental agreement, to occupy real property or a mobile home to the exclusion of others.
 9. Everything of value furnished or intended to be furnished in exchange for a controlled substance in violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct, all proceeds traceable to such an exchange, and all other property used or intended to be used to facilitate a violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, except [NRS 453.336](#), or used or intended to be used to facilitate a violation of a law of any other jurisdiction which prohibits the same or similar conduct as prohibited in [NRS 453.011](#) to [453.552](#), inclusive, except [NRS 453.336](#). If an amount of cash which exceeds \$300 is found in the possession of a person who is arrested for a violation of [NRS 453.337](#) or [453.338](#), then there is a rebuttable presumption that the cash is traceable to an exchange for a controlled substance and is subject to forfeiture pursuant to this subsection.
 10. All firearms, as defined by [NRS 202.253](#), which are in the actual or constructive possession of a person who possesses or is consuming, manufacturing, transporting, selling or under the influence of any controlled substance in violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct.
 11. All computer hardware, equipment, accessories, software and programs that are in the actual or constructive possession of a person who owns, operates, controls, profits from or is employed or paid by an illegal Internet pharmacy and who violates the provisions of [NRS 453.3611](#) to [453.3648](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct.
- (Added to NRS by 1971, 2016; A 1973, 1211; 1977, 1409; 1981, 408; 1983, 288, 440, 922; 1987, 1385; 1989, 11, 1231; 1991, 336; [2001, 1058](#); [2003, 554](#))

NRS 476.060 Procedure for prohibition of storage of explosive or combustible materials in city or town: Petition; order; publication; penalties.

1. Whenever there is filed with the board of county commissioners of any county a petition signed by 10 percent of the residents of any town or incorporated city within the county, the 10 percent to be computed from the number of persons paying taxes in the town or incorporated city according to the last preceding assessment roll, praying that the [storage of gunpowder](#), explosive or combustible materials be prohibited within the limits of such town or city, the board shall, at the meeting of such board when the petition is filed, make and enter on the minutes of its proceedings an order prohibiting the storage of explosives or combustible materials within such distance of the town or city as the board may deem safe and proper, but the distance named in the order for such storage shall not be less than one-fourth of a mile from the limits of the town or city.

2. The order mentioned in subsection 1 to be made by the board may be published by the clerk of the board of county commissioners for 2 weeks successively in some newspaper published and printed in the town or city to which the order applies, or a copy of the order shall be posted conspicuously in three public places in the town or city. The publication or posting shall constitute due notice to all concerned.

3. This section does not prohibit or prevent:

(a) The storage by any person, firm or corporation within the limit prescribed by the order of any board, of not more than 100 pounds of black and smokeless gunpowder or rifle powder, and not more than 500 gallons of kerosene oil.

(b) The keeping within such limit of shotgun or rifle shells and cartridges and cartridge percussion caps by any business firm or individual.

(c) The storing of powder underground in mines.

4. Any board of county commissioners, or any member thereof, failing, neglecting or refusing to comply with all of the provisions of subsection 1 is guilty of a misdemeanor, and proceedings shall at once be instituted by the district attorney, or may be instituted by any citizen of the county against such board, or against any member thereof. Such conviction shall ipso facto remove such board, or any member thereof so convicted, from office. Notice of the vacancy thereby created shall be certified by the district attorney to the Governor. Within 20 days from the receipt of such notice, the Governor shall make appointments to fill such vacancy as may be created.

5. Any person, firm, company or corporation continuing to store any explosive or combustible materials within the limit prescribed by such order and notice, after 2 weeks subsequent to the giving of notice, or after 3 weeks subsequent to the making of such order, is guilty of a misdemeanor.

[1:101:1905; RL § 1946; NCL § 2885] + [2:101:1905; RL § 1947; NCL § 2886] + [3:101:1905; RL § 1948; NCL § 2887]—(NRS A 1967, 591; 1971, 1460; 1979, 1482)

NRS 476.070 Discharge of tracer or incendiary ammunition within certain areas; penalty; exceptions.

1. Any person who discharges any bullet, projectile or ammunition of any kind which is tracer or incendiary in nature on any grass, brush, forest or crop-covered land is guilty of a misdemeanor.

2. This section does not apply to:

(a) Any member of the Armed Forces of the United States or the Nevada National Guard while such member is on active duty;

(b) Any law enforcement officer of this State or the United States; or

(c) The possession or use of such ammunition on land owned or leased by the United States when possessed or used at the direction of an authorized official of the United States.

NRS 476.220 Distribution of black powder or smokeless gunpowder to persons under certain age.

1. Except as otherwise provided in subsection 2, any person who distributes:

(a) Black powder to a person under the age of 18 years; or

(b) Smokeless gunpowder to a person:

(1) Under the age of 18 years; or

(2) Under the age of 21 years, if the smokeless gunpowder is intended for use other than in a rifle or shotgun,

is guilty of a misdemeanor and shall be punished by a fine of not more than \$500.

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

(a) Asks the other person to declare the intended use for the black powder or smokeless gunpowder;

(b) Demands that the other person present a valid driver's license or other written or documentary evidence which shows that the other person meets the appropriate age requirement set forth in subsection 1;

(c) Is presented a valid driver's license or other written or documentary evidence which shows that the other person meets the appropriate age requirement set forth in subsection 1; and

(d) Reasonably relies upon the declaration of intended use by the other person and the driver's license or other written or documentary evidence presented by the other person.

3. As used in this section, "distribute" has the meaning ascribed to it in [NRS 476.010](#).

(Added to NRS by [2011, 469](#))

NRS 487.020 Report of vehicle showing damage by gunfire. Whenever a vehicle of a type subject to registration under the laws of this State has been offered for repair to any person or garage and the damage to the vehicle indicates that such damage is the result of gunfire, the person to whom the vehicle was offered for repair shall immediately report the vehicle and condition to the sheriff's office of the county, or the police department of the city, wherein such garage or person is located.

[2:227:1919; A 1953, 95]

NRS 502.120 Penalty for refusal to exhibit license, permit, wildlife or equipment on demand; penalty for failure to have license or permit in possession.

1. Each person required to have a license or permit as provided in this title who, while engaged in any activity regulated by this title, refuses to exhibit the license or permit, any wildlife which the person may have in his or her possession, or any **weapon, ammunition**, device or apparatus in his or her possession which may be used for any activity regulated by this title, upon the demand of any officer authorized to enforce the fish and game laws of this State, is guilty of a misdemeanor.

2. Each person required to have a license or permit as provided in this chapter who, while engaged in any activity regulated by this title, fails to have the license or permit in his or her possession is guilty of a misdemeanor. A person charged with violating this subsection may not be convicted if the person produces in court a license or permit previously issued to the person and valid at the time of his or her arrest.

[Part 55:101:1947; A 1955, 86]—(NRS A 1969, 1354; 1981, 543; 1991, 262; [2005, 1311](#))

NAC 503.142 Hunting big game mammal with firearm. ([NRS 501.105](#), [501.181](#), [503.150](#)) The Commission hereby establishes the following exceptions to paragraph (b) of subsection 1 of [NRS 503.150](#):

1. During a type of hunt that is restricted to **muzzle-loading firearms**, a person may hunt a big game mammal only with a **muzzle-loading rifle or muzzle-loading musket**, and may use only a **lead ball, a lead bullet, a semi-jacketed bullet or a metal alloy bullet that expands**. The use of smokeless powder is prohibited. Only black powder or a black powder substitute such as Pyrodex or Triple 7 may be used as a propellant. A sabot round may be used. The muzzle-loading rifle or muzzle-loading musket must have the following characteristics:

(a) A wheel lock, matchlock or flintlock ignition system, or a percussion ignition system that uses a primer or percussion cap;

(b) A single barrel of caliber .45 or larger; and

(c) Open sights or peep sights. The use of a sight that is operated or powered by a battery, electronics or a radioactive isotope such as tritium is prohibited.

↳ The muzzle-loading rifle or the muzzle-loading musket is deemed to be not loaded if the priming compound or element, such as the priming powder or the unfired primer or percussion cap, is removed.

2. During a type of hunt that is restricted to **muzzle-loading firearms**, it is unlawful for a person hunting under the authority of a tag for such a hunt to carry in the field a **firearm** or longbow and arrow except for:

(a) A **muzzle-loading rifle or a muzzle-loading musket** with the characteristics set forth in subsection 1; or

(b) A **flintlock or percussion handgun**. However, it is unlawful to use such a **handgun** to hunt a big game mammal.

3. During a type of hunt in which the use of any **legal weapon** is authorized by a regulation of the Commission, a person may hunt a big game mammal with a **muzzle-loading rifle or muzzle-loading musket** only if:

(a) The muzzle-loading rifle or muzzle-loading musket has:

(1) A single barrel of caliber .45 or larger; and

(2) Open sights, peep sights or a rifle scope.

(b) The person uses a **lead ball, a lead bullet, a semi-jacketed bullet or a metal alloy bullet that expands**. A sabot round may be used.

↳ The muzzle-loading rifle or muzzle-loading musket is deemed to be not loaded if the priming compound or element, such as the priming powder or the unfired primer or percussion cap, is removed.

4. A person may hunt big game mammals with a **rifle if the rifle uses a centerfire cartridge of caliber .22 or larger**.

5. A person may hunt big game mammals with a **handgun if the handgun uses a centerfire cartridge, has a barrel length of 4 inches or more and:**

(a) Uses a cartridge of caliber .22 or larger with an overall loaded length of 2 inches or more; or

(b) Uses a cartridge of caliber .24 or larger with a case of length no less than the length of the case of a cartridge for a Remington magnum of caliber .44.

6. A person may hunt deer and mountain lion with a **shotgun no larger than 10 gauge and no smaller than 20 gauge**. Only rifled slugs or shotgun rounds with sabots that contain a single expanding projectile may be used when hunting deer. A shotgun that is used to hunt deer or mountain lion pursuant to this subsection may be equipped with a smoothbore barrel or a barrel that is partially or fully rifled.

[Bd. of Fish & Game Comm'rs, No. 25 § 6, eff. 12-4-79 + No. 26 § 6, eff. 12-4-79, A 5-12-80]—(NAC A by Bd. of Wildlife Comm'rs, 9-19-90; R155-97, 3-2-98; R176-03, 4-8-2004; R093-05, 10-31-2005; R185-05, 2-23-2006)

NRS 501.375 Powers and duties of game wardens, sheriffs and other peace officers.

1. Every game warden, sheriff and other peace officer of this State and its political subdivisions shall enforce the provisions of this title and seize any wildlife taken or held in possession in violation of those provisions.

2. Such an officer may:

(a) With or without a warrant, conduct a reasonable search of any camp, structure, aircraft, vessel, vehicle, box, game bag or other package where the officer has reason to believe any wildlife taken or held in violation of any of the provisions of this title is to be found, and, for the purpose of such a search, may detain any aircraft, vessel or vehicle for a reasonable time.

(b) Seize any such wildlife and any **gun, ammunition**, trap, snare, tackle, or other device or equipment whose presence indicates that a violation of any provision of this title has occurred. Except for property described in [NRS 501.3857](#), property seized pursuant to this subsection may be held only for evidence and may be recovered by the owner within 1 year after it is no longer needed for that purpose. The Department shall, within 30 days after the property is no longer needed, send a written notice to the owner of the property that informs the owner of the owner's right to recover the property.

3. A dwelling house may be searched only pursuant to a warrant or as otherwise provided by law.

[39:101:1947; 1943 NCL § 3035.39]—(NRS A 1967, 177; 1969, 1348; 1979, 897; 1991, 260, 2285; 1993, 552; [2005, 1309](#))

NRS 501.3857 Forfeitures.

Any **gun, ammunition**, trap, snare, vessel, vehicle, aircraft or other device or equipment used, or intended for use:

1. To facilitate the unlawful and intentional killing or possession of any big game mammal;

2. To hunt or kill a big game mammal by using information obtained as a result of the commission of an act prohibited by [NRS 503.010](#) or a regulation of the Commission which prohibits the location of big game mammals for the purpose of hunting or killing by the use of:

(a) An aircraft, including, without limitation, any device that is used for navigation of, or flight in, the air;

(b) A hot air balloon or any other device that is lighter than air; or

(c) A satellite or any other device that orbits the earth and is equipped to produce images, or other similar devices; or

3. Knowingly to transport, sell, receive, acquire or purchase any big game mammal which is unlawfully killed or possessed,

↪ is subject to forfeiture pursuant to [NRS 179.1156](#) to [179.119](#), inclusive.

(Added to NRS by 1991, 2283; A 1993, 552; [2005, 1310](#))

NRS 503.150 Manner of hunting game birds or mammals.

1. Unless otherwise specified by Commission regulation, it is unlawful to hunt:

(a) Any game bird or game mammal with any **gun capable of firing more than one round with one continuous pull of the trigger**, or with any **full steel, full steel core, full metal jacket, tracer or incendiary bullet or shell**, or any **shotgun larger than number 10 gauge**.

(b) Big game mammals in any manner other than with a **rifle, held in the hand, that exerts at least 1,000 foot-pounds of energy at 100 yards**, or with a longbow and arrow which meet the specifications established by Commission regulation.

(c) Small game mammals in any manner other than with a **handgun, shotgun, rifle**, longbow and arrow or by means of falconry.

(d) Game birds with any **rifle or handgun, or in any manner other than with a shotgun held in the hand**, with a longbow and arrow or by means of falconry.

(e) Migratory game birds with any **shotgun capable of holding more than three shells**.

(f) Any game bird or game mammal with the aid of any artificial light.

(g) Any big game mammal, except mountain lions, with a dog of any breed.

2. Nothing in this section prohibits the use of dogs in the hunting of game birds or small game mammals.

[Part 2:101:1947; A 1949, 292; 1943 NCL § 3035.02]—(NRS A 1957, 175; 1959, 385; 1969, 1360; 1973, 671; 1991, 266)

NRS 503.165 Carrying loaded rifle or shotgun in or on vehicle on or along public way unlawful; exceptions.

1. It is unlawful to carry a **loaded rifle or loaded shotgun** in or on any vehicle which is standing on or along, or is being driven on or along, any public highway or any other way open to the public.
2. A **rifle or shotgun is loaded, for the purposes of this section, when there is an unexpended cartridge or shell in the firing chamber, but not when the only cartridges or shells are in the magazine.**
3. The provisions of this section do not apply to paraplegics, persons with one or both legs amputated or who have suffered a paralysis of one or both legs which severely impedes walking, or peace officers and members of the Armed Forces of this State or the United States while on duty or going to or returning from duty.
(Added to NRS by 1969, 1367; A 1971, 1542; 1981, 321; 1987, 596)

NRS 503.175 Penalty for discharging firearm from or over federal or state highway or county road. Unless a greater penalty is provided in [NRS 202.287](#), a person who **discharges a firearm** from, upon, over or across any federal highway, state highway as described in [NRS 408.285](#), or main or general county road as designated in [NRS 403.170](#), is guilty of a misdemeanor.
(Added to NRS by 1969, 1368; A 1979, 1174; 1989, 1242)

NRS 504.300 Establishment of commercial or private shooting preserve. Any person who owns or controls the shooting rights or privileges on an enclosed tract of land may establish a commercial or private shooting preserve for the propagation, culture and maintenance of upland game birds pursuant to the provisions of this chapter and commission regulations.
[Part 83.1:101:1947; added 1951, 443]—(NRS A 1957, 262; 1969, 1372; 1981, 610)

NRS 629.041 Provider of health care to report persons having certain injuries. Every provider of health care to whom any person comes or is brought for treatment of an injury which appears to have been **inflicted by means of a firearm or knife**, not under accidental circumstances, shall promptly report the person's name, if known, his or her location and the character and extent of the injury to an appropriate law enforcement agency.
(Added to NRS by 1977, 239)

NRS 647.018 "Secondhand dealer" defined.

1. "Secondhand dealer" means any person engaged in whole or in part in the business of buying and selling metal junk, melted metals or secondhand personal property, other than antiques, used books, coins and collectibles.
2. **The term does not include a person who engages in the business of buying or selling secondhand firearms or any antique parts, accessories or other equipment relating to those firearms if:**
 - (a) The person engages in that business at a show that:
 - (1) Is held at:
 - (I) A convention facility which is owned or operated by and located on the premises of a resort hotel; or
 - (II) A recreational facility which is owned or operated by a county fair and recreation board; and
 - (2) Is conducted for not more than 7 days during any 6-month period; and
 - (b) The person has been issued a license as a manufacturer, importer, dealer or collector pursuant to the provisions of 18 U.S.C. § 923.
(Added to NRS by [1997, 2547](#); A [1999, 2546](#); [2003, 653](#); [2009, 767](#); [2011, 866](#))

NRS 647.105 Applicability of provisions to certain persons who buy or sell secondhand firearms or items related to secondhand firearms. A person who is described in subsection 2 of [NRS 647.018](#):

1. **Shall comply with the provisions of [NRS 647.110](#), [647.120](#) and [647.130](#); and**
2. Is subject to the provisions of [NRS 647.140](#) and [647.145](#).
(Added to NRS by [1999, 2545](#))

NRS 647.110 Record of transactions; inspection of record and goods.

1. Every secondhand dealer doing business in any incorporated city or unincorporated town in this State shall maintain in his or her place of business a book or other permanent record in which must be legibly written in the English language, at the time of each purchase, a record thereof containing:
 - (a) The date of the transaction.
 - (b) The name or other identification of the person or employee conducting the transaction.
 - (c) The name, age, driver's license number, street and house number and a general description of the complexion, color of hair and facial appearance of the person with whom the transaction is had.
 - (d) If the transaction involves household furniture, the license number of the vehicle delivering each purchase.

(e) A description of the property bought. In the case of watches, the description must contain the name of the maker and the number of the works or the case. In the case of jewelry, all letters and marks inscribed on the jewelry must be included in the description. When the article bought is furniture, or the contents of any house or room actually inspected on the premises, a general record of the transaction is sufficient.

(f) The price paid.

2. The record and all goods received must at all times during the ordinary hours of business be open to the inspection of the prosecuting attorney or of any peace officer.

[Part 1911 C&P § 200; A 1917, 410; 1919 RL § 6465; NCL § 10148] + [1911 C&P § 201; RL § 6466; NCL § 10149]—(NRS A 1971, 931; 1983, 746; 1995, 859)

NRS 647.120 Reports of transactions and suspected stolen property to sheriff or chief of police.

1. Except as otherwise provided in subsection 4, every secondhand dealer doing business in:

(a) Any unincorporated town shall, before 12 m. of each day, furnish to the sheriff of the county a full, true and correct transcript of the record of all transactions had on the preceding day. The transcript must be furnished by mail or by any other means, including, without limitation, by electronic or facsimile transmission, as directed by the sheriff.

(b) Any incorporated city shall, before 12 m. of each day, furnish to the chief of police of the city, a full, true and correct transcript of the record of all transactions had on the preceding day. The transcript must be furnished by mail or by any other means, including, without limitation, by electronic or facsimile transmission, as directed by the chief of police.

2. Every transcript prepared pursuant to subsection 1 must include, but is not limited to:

(a) The date and time of each transaction; and

(b) The identity of the secondhand dealer or employee who conducted the transaction.

➤ The person conducting the transaction shall legibly print or type his or her full name and write his or her signature on the transcript. Each transcript must include a certificate, signed by the person selling the property to the secondhand dealer, stating that the person has the legal right to sell the property.

3. Every secondhand dealer doing business in an unincorporated town or in an incorporated city having good cause to believe that any property in his or her possession has been previously lost or stolen shall forthwith report that fact to the sheriff or chief of police, respectively, together with the name of the owner if known, and the date when and the name of the person from whom the secondhand dealer received the property.

4. The provisions of subsection 1 do not apply to any transaction which involves buying, selling or trading used:

(a) Books, periodicals or sound recordings;

(b) Clothing; or

(c) Coins which are not part of any jewelry.

[1911 C&P § 202; A 1917, 410; 1919 RL § 6467; NCL § 10150]—(NRS A 1967, 179; 1983, 746; 1991, 121; [2003, 654](#))

NRS 647.130 Retention of marked or otherwise individually identifiable property; exception for motor vehicles.

1. Except as otherwise provided in subsection 2, no property which has a specific mark for identification or is otherwise individually identifiable and is bought by any secondhand dealer may be removed from his or her place of business at which the transaction occurred within:

(a) Thirty days after the receipt thereof is reported or a record of the receipt of the property is furnished or mailed to the sheriff or the chief of police, if the place of business is located in a county whose population is 700,000 or more; or

(b) Fifteen days after the receipt thereof is reported or a record of the receipt of the property is furnished or mailed to the sheriff or the chief of police, if the place of business is located in a county whose population is less than 700,000.

2. A secondhand dealer who purchases a motor vehicle may, during the period prescribed in subsection 1, remove the motor vehicle from the place of business at which the transaction occurred to a place used by the secondhand dealer for the storage of purchased motor vehicles. Once the motor vehicle is moved to the place of storage, the secondhand dealer shall not remove the motor vehicle from that place during the remainder of the period prescribed in subsection 1.

[Part 1911 C&P § 203; RL § 6468; NCL § 10151]—(NRS A 1983, 747; 1993, 2323; [1997, 2548](#); [2011, 1301](#))

NRS 647.132 Peace officer or investigator may place written hold on property possessed by secondhand dealer; procedure for obtaining custody of property; limitations on disposal of property; notice.

1. A peace officer or investigator who is involved in the investigation or prosecution of criminal activity may place a written hold on any property in the possession of a secondhand dealer that is related or allegedly related to the criminal activity.
2. While a hold is placed on property pursuant to this section, the secondhand dealer shall not remove or dispose of the property to any person other than the peace officer or investigator who placed the hold on the property. A peace officer or investigator who placed a hold on property may obtain custody of the property from the secondhand dealer if the peace officer or investigator:
 - (a) Has obtained written authorization from the prosecuting attorney which includes, without limitation, a description of the property and an acknowledgment of the secondhand dealer's interest in the property; and
 - (b) Provides a copy of the written authorization to the secondhand dealer.
3. Property received by a peace officer or investigator pursuant to this section may be disposed of only in the manner set forth in [NRS 52.385](#) or [179.125](#) to [179.165](#), inclusive.
4. A peace officer or investigator who places a hold on property pursuant to this section shall notify the secondhand dealer in writing when the investigation or prosecution has concluded or when the hold is no longer necessary, whichever occurs sooner.
(Added to NRS by [2003, 653](#))

NRS 706.1517 Authority: Employees who are peace officers may carry firearms. Employees of the Authority who are peace [officers may carry firearms in the performance of their duties.](#)
(Added to NRS by [1997, 1925](#))