

Case No. 83999

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEPHEN SISOLAK, Governor of Nevada; AARON D. FORD, Nevada
Attorney General; GEORGE TOGLIATTI, Director of Nevada
Department of Public Safety; MINDY MCKAY, Administrator of
Records, Communications, and Compliance in the Nevada Department
of Public Safety,

Appellants,

v.

POLYMER80, INC.,

Respondent.

JOINT APPENDIX – VOLUME III

AARON D. FORD
Nevada Attorney General
STEVE SHEVORSKI (Bar No. 8256)
Chief Litigation Counsel
Office of the Attorney General
555 E. Washington Ave., Ste. 3900
Las Vegas, NV 89101

Attorneys for Appellants

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DATED this 2nd day of June, 2022.

AARON D. FORD
Attorney General

By: /s/ Steve Shevorski
Steve Shevorski (Bar No. 8256)
Chief Litigation Counsel

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the Clerk of the Court by using the electronic filing system on the 2nd day of June, 2022, and e-served the same on all parties listed on the Court's Master Service List.

/s/ R. Carreau _____
R. Carreau, an employee of
the office of the Nevada Attorney General

AB286 TESTIMONY - KARL CATARATA - 2 MINUTES

Good Morning Chair Yeager, Vice Chair Nguyen, and Members of the Assembly Judiciary.

For the record, my name is Karl Catarata. I'm a survivor of gun violence living in Nevada. On June 8, 2014, my family and I survived the shooting that killed two brave Las Vegas Metropolitan Police Department officers at a local Las Vegas Cici's Pizza right before they killed another civilian at a local Walmart. I pulled my mom and brother out of that Walmart when they started opening fire. Many Nevadans remember that day, and many Nevadans do think about their safety when visiting their favorite business.

Look - while I am a survivor of gun violence, I come from a family of responsible gun owners. When it comes to responsible gun ownership, I was taught two things: buy responsibly (not by constructing a ghost gun), and use only when it is the dire last resort of protection to stand your ground, if physically attacked.

While we all might have different viewpoints on guns, I think we can all come to common ground and agreement that we all want Nevada to be a safe place to live in. That's where AB286 comes in. Whether that's by visiting a store, a restaurant, or for instance - my family in 2014 - visiting our local Walmart for groceries. Not only this, but from where I see it: we all want to create a Nevada that empowers business owners to create a space where customers feel safe to do business. This bill allows that.

I hope that in your vote for this bill, you think deeply and intentionally about the lives it will impact years from now. Survivors of gun violence like myself, victims of domestic abuse, veterans, and those living with PTSD.

Thank you for your time and consideration, and for listening to Nevadans who have survived gun violence and get to live another day to share their experience. Thank you and have a great Wednesday.

March 17, 2021

To: Assembly Committee on Judiciary

Re: Assembly Bill 286

Chair Yeager and Members of the Committee, good morning. I am Teresa Crawford, a volunteer with the Moms Demand Action Nevada Chapter. Assemblywoman Sandra Jauregui, thank you for presenting this common-sense Keep Nevada Safe plan to the legislature and for championing background checks and a ban on bumpstocks in the 80th session.

Since the deadliest mass shooting in history 1 October, 2017, the Las Vegas strip has seen an increase in gun violence that affects employees, tourists and locals. Currently, rules for business owners to prohibit guns on their property are unclear and vague. Section 2 of this bill codifies firearm rules for entertainment venues and other businesses and gives law enforcement officers the means to enforce them.

With the pandemic restrictions easing, Nevadans, including seniors and families with children, look forward to safely shopping, dining out, and attending movies, concerts and sporting events. From Mom and Pop pizzarias to resort properties, this bill allows business owners to offer firearm prohibited premises to their customers by posting signage. Hotels and motels may provide a document with language that firearms are prohibited on the property.

Section 2 also covers hotel guests who purchase guns at a trade show. They must bring them unloaded in a bag and notify the hotel management.

This bill continues the good work done for gun safety in the last legislature and is an uniquely Nevada solution that provides choice for businesses and consumers alike.

Please vote Yes on AB 286.

Thank you,
Teresa Crawford

Testimony on AB 286
Joshua Schwartz, Nevada Moms Demand Action
To
Nevada Legislature Assembly Committee On Judiciary
March 17, 2021

Committee Members, my name is Joshua Schwartz and I am the State Legislative Lead for the Nevada Moms Demand Action Chapter, a grassroots movement of Nevadan's fighting for public safety measures that protect people from gun violence. I would like to state my strong support for AB 286.

Ghost guns are the fastest-growing gun safety problem we have seen in years. Ghost guns have become the weapon of choice for violent criminals and dangerous extremists, and they are turning up at crime scenes from coast to coast. In a recent interview with CBS's 60 Minutes, the Los Angeles County Sheriff reported that, over the last year, the number of ghost gun recoveries turning up in his department's investigations has increased by 50%. Making a ghost gun takes only a few hours, little technical skill and complete kits for these guns are sold online with no background check of the buyer or serial number on the firearm.

This proposed legislation would prohibit anyone from possessing, selling, offering to sell, transferring, purchasing, transporting or receiving an unfinished frame or receiver unless the unfinished frame or receiver is serialized or the person is a manufacturer. It also prohibits a person from manufacturing or assembling a firearm that is not serialized. This would also ensure that background checks are completed for all purchases and firearms are not sold to prohibited persons.

In October 2017, Nevada experienced the deadliest mass shooting in modern history when a gunman opened fire on a concert in Las Vegas and in a matter of minutes, killed 58 people and injured over 400. Even since this tragedy, the Las Vegas Strip has seen a drastic increase in gun violence in the past few years. Under current Nevada law, the rules for businesses that choose to prohibit guns on their property are unclear and vague. This bill will provide clear rules for entertainment venues and other businesses who wish to prohibit guns from their property, ensuring that law enforcement officers have the tools they need to enforce the law.

I have been personally affected by gun violence on 3 separate occasions all of which came through my 23 years of work with the public here in the State of Nevada. The trauma that is experienced by victims, loved ones and witnesses to this type of violence can not be understated. As citizens of this state, we owe it to all Nevadans to do everything possible to pass laws that positively impact gun violence in our community.

On behalf of Nevada Moms Demand Action, myself, my family, and our community, I fervently support AB 286.

Joshua Schwartz

Nevada Mom's Demand Action

State Legislative Lead

Assembly Committee: Judiciary Exhibit: H Page 1 of 1 Date: 03/17/2021 Submitted by: Joshua Schwartz

APP 000468

Chair Yeager and Members of the Committee, good morning. For the record, my name is Ryan Budman. I am testifying in support of AB286

I would like to begin my testimony with a quote:

“Like most rights, the Second Amendment right is not unlimited. It is not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose: . . . The Court's opinion should not be taken to cast doubt on longstanding. . . laws forbidding the carrying of firearms in sensitive places such as schools and government buildings, or laws imposing conditions and qualifications on the commercial sale of arms. . .”

Pg. 54-55 (<https://www.supremecourt.gov/opinions/07pdf/07-290.pdf>)

These words come from Justice Antonin Scalia’s majority decision regarding *Heller vs. DC*. While this case struck down a perceived overreach in gun safety legislation, Justice Scalia was careful to clearly state that it should not be construed to mean that all gun safety legislation should be deemed unconstitutional and that common sense gun safety legislation should be pursued. A law, like AB286, which would ban the sale of so called “ghost guns” and “ghost gun kits” as well as allow property owners to prohibit firearms on their premises is exactly the kind of legislation needed at this time and is exactly the kind of legislation which is indeed defended by this Supreme Court decision.

Nevada absolutely needs common sense gun safety legislation. Our state is not yet 4 years removed from the deadliest mass shooting in this nation’s history. Additionally, the last year has seen incidents of gun violence rise dramatically. This bill will help prevent tragedies like we saw with 1 October and it will help limit the excessive violence we have seen on the Las Vegas strip in the last year.

This bill is a step in the right direction for our state and it will make our state safer overall. I urge you to vote to pass AB286.

Ryan Budman

████████████████████
Reno, NV 89509
████████████████████

From: [Kileen Kohn](#)
To: [Assembly Judiciary Exhibits](#)
Subject: Meeting this morning
Date: Wednesday, March 17, 2021 5:02:31 AM

I had requested to speak, but I had a work meeting come up.

I am for this law to help protect people from gun violence. Every tool that can save a life is worth passing. I lost my brother to gun violence and it is an avoidable tragedy in our society.

Please help protect our citizens by passing common sense gun reform.

Kileen Kohn


From: [REDACTED]
To: [Assembly Judiciary Exhibits](#)
Subject: AB 286
Date: Tuesday, March 16, 2021 3:31:10 PM

I am in favor of passing AB286. I am in favor of any bill that protects us in any way from gun violence.

N. June Eshelman/ AKA Norma June Eshelman

[REDACTED]
Henderson, NV 89002

Assembly Committee: Judiciary
Exhibit: K Page 1 of 1 Date: 03/17/2021
Submitted by: N. June Eshelman

APP 000471

INSTITUTE FOR LEGISLATIVE ACTION

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



NRA

March 15, 2021

The Honorable Steve Yeager
Chair, Assembly Judiciary Committee
101 North Carson Street, Room 3127B
Carson City, NV 89701

Dear Chair Yeager:

On behalf of the members of the National Rifle Association in Nevada, I would like to communicate our strong opposition to Assembly Bill 286 (AB 286).

AB 286 would massively expand “gun-free” zones, ban the practice of building a firearm for personal use, and prohibit the possession of home-built firearms.

“Gun-Free Zones”:

Section 2 of this legislation would make it a crime for anyone, including concealed carry permit holders, to possess a firearm with certain “covered premises” that include signage or notice that firearms are prohibited, unless that individual receives written approval.

Private property owners already have the ability to prohibit firearms, this legislation would expand that authority and includes criminal penalties for violations, which could amount to a lifetime firearm prohibition for three violations. The language of the bill would not create any responsibility for the private property owner to provide security measures, such as security guards or metal detectors. Instead, the legislation would create soft targets for those intent on causing harm by leaving law-abiding patrons defenseless.

Home Built Firearms:

Section 3-5 of AB 286 would make it a crime under Nevada law for an individual to possess, sell, offer to sell, transfer, purchase, transport or receive an unfinished frame or receiver or a modern firearm without a serial number effectively banning the longstanding and lawful practice of making a firearm for personal use. Additionally, AB 286 would promote the destruction and devaluation of existing firearms without any tangible public safety benefit.

Precluding an individual from manufacturing a firearm without first obtaining government approval infringes on the longstanding American tradition of manufacturing a personal firearm. From prior to the Revolution to the Civil War and beyond, Americans with the requisite desire, skill and tools have fabricated their own firearms. (See Peter Jensen-Haxel, 3D Printers, Obsolete Firearm Supply Controls, and the Right to Build Self-Defense Weapons Under Heller, 42 Golden Gate U. L. Rev. 447, 477-78 (2012).) This tradition continues to this day, with many

Assembly Committee: Judiciary Exhibit: L Page 1 of 2 Date: 03/17/2021 Submitted by: Daniel Reid

INSTITUTE FOR LEGISLATIVE ACTION

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



NRA

Nevadans manufacturing their own firearms without seeking government permission to do so.

As the U.S. Supreme Court has made clear, the Second Amendment protects the “ancient” and “natural” right to keep and bear arms. (*District of Columbia v. Heller*, 554 U.S. 570, 599 (2008).) The Court went to great lengths to explain that the scope of that right is defined by the public’s understanding of the Second Amendment at the time of the founding. (*Id.* at 605.) Accordingly, given this unobstructed and long-standing tradition of personally manufacturing firearms stretching from the Revolutionary War to the present, AB 286’s ban violates the Second Amendment.

Moreover, the restrictions imposed by this legislation are wholly unwarranted. State and federal laws already impose rigorous restrictions on the manufacture, transfer and possession of all types of firearms. Potentially dangerous people convicted of felony offenses, subject to a restraining order, or adjudicated mentally defective, are already prohibited from possessing firearms. Given the nature of criminals and the scope of existing firearm restrictions, it is highly unlikely that AB 286 will do anything to keep weapons out of the hands of those who shouldn’t have them.

To make matters worse, this legislation does not provide for a public awareness program to inform owners of unmarked firearms of the new restrictions. Therefore, this legislation threatens to make thousands of otherwise law-abiding Nevadans into criminals overnight.

For these reasons, the NRA strongly opposes AB 286.

Sincerely,

Daniel Reid
Western Regional Director
NRA-ILA

I respectfully offer my dissent to Assembly Bill 286.

First I want to state some facts. According to a study by the University of Pittsburgh, less than one fifth of gun crimes are committed by legal gun owners. Less than 2 out of 10. According to the DOJ Special Report, Source and Use of Firearms Involved in Crimes: Survey of Prison Inmates, 2016, Only seven (7) percent of prisoners that committed a crime while carrying a weapon had legally purchased that weapon.

Criminals do not care about laws. We could write and pass laws all day long but only those who are not criminals will obey them. Creating laws that inhibit the lawful carrying of weapons in public places will not eliminate weapons from those places. It will only eliminate the good guys carrying.

It is not hard to find proof of this when we look at crime statistics in cities where the gun control laws are the strictest compared with cities that have very little gun laws. Where some may think that places with stricter gun laws would have less gun crimes, the statistics show just the opposite.

I know that to someone that does not own or use a gun, seeing a person carrying a weapon can make them nervous. For lawful gun owners however, seeing a person openly carrying a weapon gives us comfort. We know the statistics. We understand that the biggest fear of a criminal carrying a gun is a good guy carrying one too. Legal gun owners do not want to shoot or kill anyone. Legal gun owners however take their responsibility very seriously and most train so that God forbid they ever need to draw their weapon they will be able to do so with reason and skill.

In addition, section three (3) of this bill does not address the criminals that commit crimes with guns they have been built with unfinished receivers, only gun enthusiasts that are artisans and engineers. The criminals don't care about laws. They prove that by the act of committing crimes.

Instead of the well intended but seriously misguided laws restricting responsible law abiding gun owners, we should focus on the criminals. You cannot legislate bad people into being good but you can legislate good people into becoming victims.

I urge you to change your focus from the object to the person. A gun is not a danger in the hands of a responsible gun owner. Gun crime is not reduced by more gun laws. Criminals will not obey the law. Give the people of the great State of Nevada the ability to protect ourselves and the respect of our Constitutional right to do so. Focus instead on the real problem. Focus on the criminals. Focus on punishment. Focus on youth crime prevention. Focus on education. Crime doesn't start with a weapon. Crime starts with a lack of hope. Crime starts with a lack of opportunity.

Respectfully,

Dianna Johnson



NEVADA FIREARMS COALITION

Randi Thompson
Lobbyist, Nevada Firearms Coalition PAC
Assembly Committee on Judiciary
March 17, 2021
AB 286 - Oppose

Chair Yeager, Members of the Judiciary Committee:

On behalf of the tens-of-thousands of law-abiding gun owners in Nevada, we must oppose AB286.

We are surprised that a bill that will have such significant impacts on 2nd Amendment rights of law-abiding citizens is being heard just one day after being introduced.

This bill would make it a crime for a person to possess a firearm on certain premises. Not discharging a gun or using it to commit a crime... **but merely possessing it would be a crime.**

We support the fact that property owners have the right to prohibit guns on their premise, and they have the ability to request the person leave the property or they can call the police to remove the person. This bill would make carrying a gun onto a restricted property a crime. Again, not using the gun for malicious intent or to even to protect yourself or others, but simply carrying a gun without permission would be a crime.

The bill will ban those with a CCW permit from carrying their gun on certain premises, rendering citizens defenseless against criminals or people who may want to do them harm. As an example, a woman who has obtained CCW to protect herself would have to get permission to go into a shopping mall or see a movie if that facility chooses to prohibit firearms.

Section 2, subsection 5 (b) 2 specifically says that the bill does not apply to "**residential unit owner**" **but it doesn't** appear to include renters. Thus, we are concerned that it could apply to places like apartment buildings. A resident who has firearm to protect his apartment from a home invasion could be in violation of the law if the apartment complex chooses to be a gun free zone. He would have to essentially "register" his firearm with the apartment manager, which sets up a whole series of concerns.

Section 3 imposes restriction of firearms components, specifically unfinished frames or receivers, beyond what is already illegal by federal law. Unfinished receivers are partially completed guns with no serial numbers. Purchasers must perform their own finishing work in order to make the receiver usable.

**DEDICATED TO THE OWNERSHIP & SAFE USE OF FIREARMS FOR SELF-DEFENSE,
COMPETITION, RECREATION & HUNTING**

Assembly Committee: Judiciary
Exhibit: N Page 1 of 2 Date: 03/17/2021
Submitted by: Randi Thompson

APP 000475

Making your own gun is a hobby for many people and perfectly legal as long as the gun is for their use only. **The finishing of receivers for sale or distribution by unlicensed persons is *already* against US law.** But under this bill, just possessing such a gun would now be a crime. The tradition of making your own firearm goes back to the founding of our country. I would question how many of these **"home-made guns" have** been used in crimes?

We fail to see how this bill will reduce gun violence. Bad guys won't seek permission from a theater or a shopping mall manager to bring a gun onto the property. Only law-abiding citizens will make that effort. Hobbyists who make their own guns, a practice that is common and legal, would see their guns confiscated and become criminals for merely possessing a gun.

Considering this bill was introduced on March 15, and the hearing is being held on March 17, we have not had enough time to thoroughly review all the issues and unintended consequences that could arise from this bill.

For all these reasons, we are opposed to this bill.

**DEDICATED TO THE OWNERSHIP & SAFE USE OF FIREARMS FOR SELF-DEFENSE,
COMPETITION, RECREATION & HUNTING**

From: [Melissa](#)
To: [Assembly Judiciary Exhibits](#)
Subject: 2nd Amendment
Date: Tuesday, March 16, 2021 1:33:07 PM

Hello,

I strongly disagree with this 2nd Amendment bill recently introduced. First off, it's a bit underhanded how you're going about this at the last minute. I'm tired of the Democrats only concerned for their rights & opinions. As an elected official you should consider all opinions & viewpoints. If you chose not to have a firearm that's your right. As a conservative in AMERICA, I should be able to have the right to bear a firearm. I should have the right to protect my family from a home invasion. Especially living near Las Vegas, there are a lot of criminals. Democrats need to familiarize themselves with the constitution & amendments. It's seems you play by your own rules these days. Don't forget AMERICAN history. Our forefathers found it necessary in 1791, I find it still just as necessary in 2021.

Melissa Christner

Sent from my iPhone

From: Herbert Russell
Sent: Tuesday, March 16, 2021 2:22 PM
To: Assembly Judiciary Exhibits <AsmJUD@asm.state.nv.us>
Cc: Herbert Russell
Subject: Re: Assembly Bill 286

To the Judiciary Committee :

The mere fact that such a bill as Assembly Bill 286 would even merit ANY consideration is an affront to law abiding gun owners and CCW permit holders throughout the state of Nevada. Our constitutional rights are being assaulted daily from many sources..... state, federal, and mainstream media. We see laws being proposed that are nothing more than restrictions without any justifiable reasons whatsoever. There is absolutely no justification for limiting the access of legal gun owners to any public building. When have they ever posed a threat to public safety? Quite the contrary, I would feel much safer knowing that there are armed law abiding citizens willing to protect their fellow Nevadans at any time and in any place. Why would we want to restrict and even PUNISH good people for this? THERE IS NO JUSTIFICATION !!! We should realize that not all citizens want to exercise their rights with regards to firearms, but infringing upon the rights of those who do is unconstitutional and downright wrong. This bill (Assembly Bill 286) is a perfect example of unnecessary restriction with no justification. Every right enumerated in our Constitution is sacred and vital to the success of our great nation. Each and every attempt to diminish any one of them MUST be recognized and eliminated. I wish to hereby request that this bill, and any future bill in any way similar to it, never be seriously considered.

Thank you.
Herbert Russell

From: [Ezio Moresi](#)
To: [Assembly Judiciary Exhibits; Ezio](#)
Subject: A B 286
Date: Tuesday, March 16, 2021 4:31:19 PM

The assembly bill 286 is unconstitutional whereby that bill in its current form violates my constitutional right to keep and bear arms without infringement , I am a law abiding citizen, and I am perceiving that the Nevada House of Representatives Judiciary Committee is taking the easy route to what will not result in a higher overall level of public safety, by further infringing and restricting on the rights and freedoms of law abiding citizens, furthermore I recommend that the Nevada House of Representatives Judiciary Committee step up to the challenge of actually providing safeguards that do not prey on law abiding citizens but instead, do their jobs while considering the lawful citizens they serve, and formulate legislation that address criminal behavior, not lawful life that 96% of Nevadians live each and every day.

A B 286 is a bad bill, and was introduced by Assemblywoman Jauregui, who doesn't understand or care for those who live in rural Nevada and who obviously or has no compassion for the Nevadians that live and work in rural Nevada, furthermore she also doesn't understand the concept or differences uniquely related to urban Nevada and rural Nevada, and I personally thought that would be a paramount requirement for serving as a Nevada House of Representatives member, I'm very disappointed in assemblywoman Jauregui and the legislation she introduced, I as a law abiding citizen only wish that a great deal more of consideration on the impact of so many more law abiding citizens will be turned into criminals because of these laws that are always targeting law abiding citizens instead of criminals, but then if that was to happen it would make too much sense, that is sensible legislation targeting criminals and criminality, that may be a little too much to ask for from our privileged legislators, VOTE NO!! ON A B 286, #IMKEEPINGTHEHOPE, Ezio Moresi.

Sent from my iPhone

From: [Tanny Santry](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB 286 (gun changes)
Date: Tuesday, March 16, 2021 7:07:37 PM

This proposed legislation is unconstitutional under state and federal constitutions.
You took an oath to uphold and defend the constitution when you took office. This legislation, if you pass it, will be a violation of your oath of office.
Please drop it now.

I. W. Santry, III
Henderson 89015



Sent from my iPhone

From: [Sue Walton](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB 286 Vote NO
Date: Tuesday, March 16, 2021 3:41:00 PM

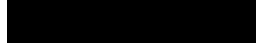
AB286 - I strongly urge a NO vote.

There are already laws that clearly state where a firearm is NOT allowed; a school, child care facility, System of Higher Education, or in a public building.

A person carrying a concealed weapon has passed a rigorous training course, taken a comprehensive test by the Sheriff's Dept to understand the rules and responsibilities for carrying a gun and has passed an extensive background check by the Sheriff's Department.

The bill AB286 would essentially make it illegal to carry a gun almost anywhere in the State of Nevada. This is another attempt to chip away at the Second Amendment of the United States Constitution. I strongly urge you to vote NO.

Suzan Walton



Reno, NV 89511

From: [nobody](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB 286. Against. some thoughts on this bill
Date: Tuesday, March 16, 2021 3:33:58 PM

Sirs, Ma'ams,

Please don't betray public trust by racing Assembly Bill 286 through the NV legislature. The fact that this is being done quickly and with as much secrecy as possible tells me that there's something wrong with it. If it was a bill that Nevadans wanted, it would be put out for public review and paced normally.

This alone tells me that it is an emotional liberal ploy. This bill is not Government for the People by the people, this is a minority of radicals taking advantage of the current political climate to change America.

Nevada is stronger than this. We don't have to be CA. Nevadans are rugged, western and independent. I was sent to NV by the U.S. military and chose to retire here due to my neighbors and NV freedoms. Please don't begin to take freedoms away. They never come back. Today a class of firearm that you dislike...tomorrow something you care for very deeply. Freedoms apply to all.

I will be praying against this bill, and praying for wisdom and peace for the people who conduct the important business of governing the Great State of Nevada. May it remain a free state.

Shawn Trylick
Las Vegas
89115


From: [Cristy Moore](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB 286
Date: Tuesday, March 16, 2021 1:40:33 PM

Once again the people we have elected to represent our interests in government are trying to slip bad legislation into law by which we will have to be governed. Whatever happened to representing OUR INTERESTS? No one in their right mind wants to limit or eliminate the People's right to keep and bear arms!! Especially in these days of uncertainty over the tyrannical demands and crazy ideas coming out of Washington. Who knows what kind of cartel drug gangs or anti-government Antifa people are running rampant in our streets these days? What with home invasions, unlimited and uncontrolled immigration, destruction of public property and our American heritage icons, the populace has no faith in our elected officials to protect us and keep the American peoples free and secure in their homes. Defunding the police doesn't solve anything. It only leads to further aggression down the road. We've invested millions in training, outfitting and providing men to protect us, only to pull the rug out and throw us all to the wolves.

Now you want to restrict our abilities to protect ourselves by limiting in any way possible our rights to bear arms. What will happen is a civil war. Government can only push so far before the People start to push back. Sneaking bills into Law only makes the People trust even less in Government's ability to protect us and stay out of our business. This Country is great because we have the rights to achieve anything possible. How can we look ahead when we keep having to watch our backsides from being blindsided by our own representatives? And the constant attacks on those Rights and Freedoms!

Leave our gun rights alone! You are trying to control and restrict People, especially those who can't afford to buy a gun, from building their own? If the government hadn't been so untrustworthy, there would not have been a run n guns and supplies, aking them disappear from the shelves or have now made prices so outrageous that they are out of reach of the normal citizen, not to mention ammo!

When the population is unable to own guns, only the criminals will have guns. And where are most attacks likely to happen? In the public places you are attempting to restrict! And confiscation of anyone's firearms is decidedly NOT a good idea under any circumstances. This Bill is ridiculous. You are only trying to slip it in at the last minute because you know it is NOT good legislation and decidedly NOT for the Public's welfare and good!

VOTE NO!

Cristy Moore

Henderson, NV

From: [Mel K](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB 286
Date: Tuesday, March 16, 2021 7:20:31 PM

I wish to Express my opposition to this extremely harmful, hateful bill.

Whoever wrote this doesnt care about anyone or anything but CONTROL. What is a female supposed to do against a large, violent male attacker? Calling the police wont work because I would be dead by the time the police arrive. I would have had nothing to defend myself.

Why is this bill trying to make law abiding people vulnerable?

It is NOT constitutional. We have a 2nd Amendment that is still viable as it has not been repealed, fortunately.

I will voice my opinion if I can. I have 2 appointments Wednesday morning so I am expressing my opinion in this writing.

Thank you,
Melanie Krause
I reside in Jim Wheeler's fine district.

Get [Outlook for Android](#)

From: [Fran Almaraz](#)
To: [Assembly Judiciary Exhibits](#)
Cc: [Frances Almaraz](#)
Subject: AB 286
Date: Wednesday, March 17, 2021 7:33:50 AM

Chairman Yeager and Members of the Committee

My name is Fran Almaraz and I am here today representing the three Teamsters Locals of Southern Nevada. These Locals represent over 9,565 workers in the Hospitality and Convention Industry.

The Teamster Local 631, Local 986 and Local 14 are opposing this Bill as currently written. We have been working with other Lobbyist's to get an amendment, and will continue to work toward this goal.

This Bill AB 286, although written with the intention of protecting workers in the hospitality industry, does not address how it will be enforced nor what steps the businesses will undertake to secure their premises from patrons bringing guns. As with a similar bill last session, the Teamsters asked for the Shot Show, or any other Trade Shows, as opposed to gun shows, with guns to be exempt from these restrictions. The Shot Show is the second largest Convention/Trade Show in Las Vegas. This is a Trade Show, not a gun show. Participants attending this Convention do not take possession of any firearms at this Convention. Participants are business owners or government military attendees from all over the world. This Trade Show is not a point of sale, orders are taken and contracts are made for purchases to be shipped from factories directly to the owners business at a future date. NONE of the guns displayed at this convention have firing pins and are inoperable. Also, this Trade Show is not open to the general public, and again, no one can purchase a gun and carry it from the Trade Show floor.

I ask you to vote no to advance this bill as written, as we would like to continue working with the sponsor and businesses wanting language to protect workers and the need to protect a Trade Show that brings millions of dollars to the Las Vegas economy. Please give us time to get an amendment that would protect hospitality workers and not only the Shot Show, but all conventions that brought over \$9 billion in revenue to Nevada in 2019.

Thank you for your consideration,
Fran Almaraz, Government Affairs
Teamsters Locals 14, 631, 986

From: [REDACTED]
To: [Assembly Judiciary Exhibits](#)
Subject: AB 286
Date: Wednesday, March 17, 2021 5:04:38 AM

My wife is handicapped and wheelchair bound. I currently carry a concealed weapon daily to protect us from criminals who would take advantage of our inability to escape from an attack. AB 286 is an attack on our 2nd amendment rights. People need to protect themselves from harm and this bill if passed it would put people's lives at risk.

Terry Frazier
Linda Frazier
Nevada residents

From: [archie walker](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB 286
Date: Tuesday, March 16, 2021 8:05:32 PM

Stop wasting time trying to chip away at the 2nd Amendment. This is nothing but trying to impose death by a thousand cuts & I hope those even proposing such a bad bill do not get re-elected for another term.

From: [Bret Bradshaw](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB 286
Date: Tuesday, March 16, 2021 2:46:33 PM

Please do not support AB 286, as AB 286 is unconstitutional. AB 286 would effectively ban the ability of private citizens to defend themselves on almost any property, as “licensed gaming establishment” means any place with slots; grocery stores, gas stations, drug stores, etc. Signs must be posted at "a conspicuous place" or at hotel check-in. Signs have to have specific language stating "Firearms are prohibited on this property unless the person wishing to possess the firearm has obtained the written consent of the owner or operator of this property or an agent thereof." The term "conspicuous place" isn't defined. Also, 1 inch letters are very small, and these signs would probably be missed by many people. No business who does not take responsibility for the safety of its customers should be disarming people. This is obviously unconstitutional as it violates the state right to bear arms.

Furthermore, an 80% lower receiver is a lower receiver that is not entirely milled out and therefore not considered a firearm. The user needs to use a CNC machine, drill press, or router to complete the process before the owner can turn it into a working firearm. These lowers are big among the hobbyist, but most gun owners do not purchase these receivers due to the extra work involved. This bill would also retroactively ban one's existing homemade firearms that don't have a serial number issued by an ATF licensed company. This would affect one's gun or lower receiver shaped piece of plastic or metal because some of the companies selling them aren't usually licensed gun manufacturers because 80% receivers aren't guns.

This bill is an unconstitutional ex post facto law.

Please do not support this bill. Thank you.

[Sent from Yahoo Mail on Android](#)

From: [Jimmi Mckee](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB 286
Date: Tuesday, March 16, 2021 8:37:00 PM

To whom this may concern:

I whole heartily oppose AB 286.

This bill as I am sure you are aware undermines the 2nd amendment of the constitution. A document that my family fought and died for. You people don't understand the word FREEDOM but you sure use it when it suits you.

Guns DONOT kill people, criminals kill people! Criminals are the only ones that will NOT be affected by this law because they DON'T follow the LAW, hence the word CRIMINAL!

You folks are the first to have someone protect your families but the rest of us tax paying (paying your salaries) citizens are left to fend for ourselves!

Have you ever had to call the police? Most likely you have not! I can tell you sometimes the response time is hours not SECONDS! Seconds matter!

I hope each one of you who are considering this bill get put in a situation where you need to defend yourself or your family and have to wait for the response of the police because you do not have a gun to defend yourselves or security!

You people think taking away a persons right to bear arms will stop the violence! Guess what? It will only increase. Because of people like you, criminals are on the streets instead of prison, criminals are empowered as they are not afraid. They know you are working hard for them to disarm the very citizens who pay your salaries!

DO NOT VOTE FOR THIS BILL! Vote AGAINST IT!

We the citizens will be watching!

--

Jimmi Mckee Managing Member

S & J Landscaping LLC C-10

NCL # 72443 Bid Limit \$50,000.00

[REDACTED]

[REDACTED]

Steve Mckee

Mckee Development LLC B-2

[REDACTED]



NCL # 62758 Bid limit \$800,000.00



From: [David Sommer](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB 286
Date: Tuesday, March 16, 2021 5:48:27 PM

Dear Committee and Assembly,

I must strongly object to Assembly Bill 286. It infringes on my Rights as to use firearms for security and self-defense. This Right is declared as "Inalienable" by the Nevada Constitution (Art. 1, S 11). Inalienable: can not be infringed, or touched in any manner that changes it.

Therefore, any party that supports this bill is an enemy to my freedom.

Sincerely,

David Sommer



Henderson, Nevada 89074

From: [Patti Smith](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB 286
Date: Tuesday, March 16, 2021 8:12:26 PM

This bill is unconstitutional. This bill is government over reach. This bill takes away the rights of law abiding citizens. Vote NO on AB 286. Protect the rights of the good citizens of Nevada. Protect the constitution.

Patricia L Smith
[REDACTED], Bunkerville, NV 89007

From: [Scott Anderson](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB 286
Date: Tuesday, March 16, 2021 2:43:53 PM

Please do not support AB 286, as AB 286 is unconstitutional. AB 286 would effectively ban the ability of private citizens to defend themselves on almost any property, as “licensed gaming establishment” means any place with slots; grocery stores, gas stations, drug stores, etc. Signs must be posted at "a conspicuous place" or at hotel check-in. Signs have to have specific language stating "Firearms are prohibited on this property unless the person wishing to possess the firearm has obtained the written consent of the owner or operator of this property or an agent thereof." The term "conspicuous place" isn't defined. Also, 1 inch letters are very small, and these signs would probably be missed by many people. No business who does not take responsibility for the safety of its customers should be disarming people. This is obviously unconstitutional as it violates the state right to bear arms.

Furthermore, an 80% lower receiver is a lower receiver that is not entirely milled out and therefore not considered a firearm. The user needs to use a CNC machine, drill press or router to complete the process before the owner can turn it into a working firearm. These lowers are big among the hobbyist, but most gun owners do not purchase these receivers due to the extra work involved. This bill would also retroactively ban one's existing homemade firearms that don't have a serial number issued by an ATF licensed company. This would affect one's gun or lower receiver shaped piece of plastic or metal because some of the companies selling them aren't usually licensed gun manufacturers because 80% receivers aren't guns. This bill is an unconstitutional ex post facto law.

Please do not support this bill. Thank you.

Scott Anderson

From: [Home](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB 286
Date: Tuesday, March 16, 2021 2:30:33 PM

Hello to Members of the Judiciary Committee. I write to you concerning AB 286.

Initially, I am concerned the the proposed bill is being discussed tomorrow after being introduced yesterday. I don't think that the committee members or the members of the public will have an adequate amount of time to review and consider the proposal prior to your meeting. I think that any proposed legislation that impacts a right protected by our Bill of Rights should be considered carefully. The Committee's timeline does not allow for such consideration.

I'm also concerned that the language of the proposed bill is vague and may result in unnecessary litigation. As I understand current Nevada law, any property owner (including casinos, shopping malls and other venues discussed in the proposed bill) already has the ability to post a "no guns allowed" sign and then call the police if a patron refuses to leave after being asked to. If true, some may interpret AB 286 to require the enumerated venues to ban guns, which I don't think is the intended goal of the bill.

Further, if I do correctly understand current law, I don't understand the purpose of section 2 as it seeks to duplicate existing law.

Finally, I am very concerned that additional and unnecessary gun legislation will anger Nevada's gun owners and push the state to the right for the 2022 election. I do believe in reasonable gun control, but I'm also scared that unreasonable measures will assist Republican's in the next election cycle which would be a tragedy. We need to keep Nevada and at least the House of Representatives in Democratic hands and bills such as AB 286 may cause a lot of damage.

Jay Freedman
Las Vegas, Nevada

From: [Kelli Hare](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB286
Date: Tuesday, March 16, 2021 7:38:45 PM

Hello,

I would like to state my opposition to proposed Assembly Bill 286. I don't think it's necessary to create a law requiring written consent from property owners regarding firearms. Furthermore, I do not want to prevent Nevadans from building their own firearms.

Please do not proceed with assembly bill 286.

Thank you,

Kelli Hare


Reno, NV 89523

From: [Leon Olson](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB286
Date: Tuesday, March 16, 2021 4:28:17 PM

To whom it may concern,

I am totally against this bill. Foremost it is a direct violation of 2nd amendment rights. Furthermore it constrains my hobby and the livelihood of several people.
Please vote no on this bill.

Thank you,

Leon Olson

From: [Walter Norton](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB286
Date: Tuesday, March 16, 2021 8:36:38 PM

This legislation is a complete violation of the second amendment, our right to bear arms shall not be infringed by doing this you would be removing one of the only means for some people to afford the ability to utilize there second amendment rights, if that is your goal I'm sure the Supreme Court will definitely be involved. For all those who apparently don't understand the second amendment is a right not a privilege.

Walter Norton

From: [Catherine](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB286
Date: Tuesday, March 16, 2021 4:53:23 PM

I'm totally flabbergasted that there would be a bill introduced restricting citizens' 2nd Amendment rights as AB286 would. I'm assuming this bill wouldn't be going to the general Nevada public to vote on. What a disappointment the legislation is to try to sneak this into law. Quit trying to control law-abiding citizens. Criminals will continue to obtain and use firearms no matter what. And with the US southern border virtually open thanks to Biden and the Democrats, they have essentially opened the flood gates with criminals. As citizens, we've earned the legal right to protect ourselves. Nevada should remain a legal conceal carry state.


AB286 is unconstitutional & must be THROWN OUT!

Catherine Posey


Gardnerville NV 89410

From: [Lisa Wolfley](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB286
Date: Tuesday, March 16, 2021 6:23:00 PM

This bill is absolutely government overreach in one of the worst ways. It is unconstitutional and strips LAW ABIDING citizens of our rights. It is imperative that this bill is rejected in its entirety, Please vote “No” and support the good citizens of Nevada in maintaining our rights according to the constitution.

-Lisa Wolfley

Moapa, NV 89025

From: [Alan M Lander](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB286
Date: Tuesday, March 16, 2021 6:09:37 PM

To whom it may concern,

I am not in favor of AB286 as it would turn law abiding citizens into criminals overnight if someone was not aware of the restrictive conditions.

I do have a carry permit and do not usually carry on my person as is my right. This law would require me to secure my firearm each time I enter a building to do business creating a hazard from someone breaking in my vehicle and stealing it. The law also prohibits weapons that someone builds for themselves using legally acquired components.

The law does not state what the problem it is meant to address, rather just prohibits a now legal practice. There must be another way to address the actual issue that prompted this bill in a way that does not make law abiding citizens become criminals. Address crime where it can best be prevented for the benefit of all citizens rather than reducing rights for those who choose to carry arms legally.

Thank you,

Alan Lander

From: [Erin Phillips](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB286
Date: Tuesday, March 16, 2021 5:21:06 PM

I am absolutely appalled at the sneaky way AB286 is being brought in, and I'm begging you to NOT support it and NOT let it pass. It's a very sad way to try and blow up our Constitutional Right to KEEP AND BEAR ARMS!!!

This would be a terrible terrible step backwards in unifying America!

Criminals are NOT going to abide by these laws; only law abiding citizens will, which just gives free reign to criminals.

I implore you to STOP this Bill!!!

Thank you
REGISTERED VOTER, LEGAL AMERICAN CITIZEN AND ONE VOTER OF MANY MANY MANY LIKE-MINDED PEOPLE, who will NOT support you if you let this Bill pass!!!

Erin B. Phillips
Reno Resident and proud member of the Nevada Republican Party!

Sent from my iPhone

From: [Jon Lopey](#)
To: [Assembly Ways and Means Exhibits](#)
Subject: AB286
Date: Wednesday, March 17, 2021 12:33:17 AM

I am a 43-year law enforcement veteran of California, including nearly 10-years as Sheriff-Coroner of Siskiyou County (CA). I am a Nevada native and just moved to Verdi, Nevada. I was dismayed to hear of the gun control measures proposed by AB 286.

This is a disastrous bill because it excludes retired peace officers from carrying concealed firearms without a business owner's permission. This law violates federal law pursuant to HR 218, will hinder public safety, lead to more victimization and crime. Many retired peace officers will avoid visiting Reno and Las Vegas due to this ill-conceived law and having been associated with several professional law enforcement organizations that have used Reno for venue sites for conferences, these organizations are made up of active and retired peace officers and all will avoid Nevada if such senseless restrictions are imposed (e.g., CNOA, CATO, WSSA, etc.).

Many of us left California to escape draconian laws and foolish government policies and such a law will drive many retired peace officers out of this state, based on feedback from former co-workers in law enforcement.


At a time when COVID-19 economic issues are hurting citizens and at a time when crime is escalating, such a law makes law-abiding citizens into criminals and will make Nevadans less safe.

I visited a dozen businesses in Reno over the weekend and a local mall. It is ludicrous for our elected officials to expect me to get permission from all of those stores to carry my concealed firearm I am authorized to carry by my former department and federal law (HR 218).

Please do not pass this harmful bill.

Thank you,

Jon E. Lopey


Col, USA (Ret)
Sheriff-Coroner (Ret)
Asst Chief, CHP (Ret)

Sent from my iPhone

From: [Thomas Boyd](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB-286
Date: Tuesday, March 16, 2021 9:27:53 PM

Hi I would hope you would consider not passing this bill. I believe it not right. I'm a conceal carry holder. I worked in law enforcement for close to forty years. I've seen a lot of crime and victims over the years. I won't go into detail but very sad. The bill only hurts law biding 2 A citizens who believe in law. Criminals don't care who they hurt or kill. As the bill states it's up to the malls, hotels and businesses to provide security and video cameras etc. To all that go there just not people who have weapons or trained to carry responsible. It only hurts us who hunt and try to protect our families. The federal courts have said police don't have to protect you. A lot of time police are to far away to help or are to late. The criminal see these free zones as open season for crime. Most average citizens don't see a lot in there lives about crime. Anyone could be a victim. Or say it can't happen to me but it can. Hopefully it won't . Personally I wouldn't hurt anyone unless they are about to be a victim. Hopefully you will not pass this bill thank you.

Sent from my iPhone

From: [GREG STARK](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB286
Date: Tuesday, March 16, 2021 11:15:46 PM

Nevada Assembly Judicial Committee

Regarding AB286... I would like to remind this Committee that Democrats own guns too. Even the Governor owns guns. Democrats have the same desire to protect themselves, their family, and friends from the mean and nasty criminals in our society. This bill is not about gun safety. This bill greatly restricts the use of firearms for the protection of our lives. It greatly restricts the lawful use of firearms for self defense without any restriction on the criminal. They carry their instruments of destruction wherever they want and use it against honest citizens, even democrats.

There is no problem with concealed carry. Don't create a problem where one doesn't exist.
Reject AB286!!

I suspect that Michael Bloomberg may have had some influence is this bill. If my memory is correct Bloomberg and his platform were rejected by Nevada voters. Reject AB286...

Greg Stark
Reno

Sent from [Mail](#) for Windows 10

From: [Max Lyon](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB286
Date: Tuesday, March 16, 2021 10:10:13 PM

Dear Assembly Members,

Regarding AB286, how do you intend to deal with the Dayton Nevada based Polymer 80 who manufactures pieces of plastic that fall within the scope of this bill? What of the thousands of existing and lawful unserialized firearms in NV? You'd turn us all into felons with the stroke of a pen? To add insult to injury, this bill accomplishes nothing. There are laws in place to criminalize prohibited persons from owning firearms. This will do NOTHING to stop those persons from obtaining weapons. This will however make people like me, with no criminal record, a felon. This will criminalize hobbyists, this will criminalize lawful gun manufacturing, and this will criminalize an entire business operating out of Dayton Nevada.

In regards to your proposed concealed carry laws, you're fabricating problems where there are none and again you'd only create criminals out of lawful citizens. Citizens who have passed testing and undergone substantial background checks. Additionally, I suspect that by and large, you'd be none the wiser to my concealed carrying so the proposed law is as unenforceable as the last.

Make no mistake, you cannot put the cat back in the bag, so why make criminals of innocent people in trying.

Warmest regards,
Max Lyon

From: [Julie Porter](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB286
Date: Tuesday, March 16, 2021 7:47:57 PM

To: NV State Legislature

We are opposed to any further infringements on our 2A rights. We respectfully request you vote no on AB286 and discontinue any further attempts to restrict our Constitutional rights to own and / or carry a firearm.

Jerry Porter

[REDACTED]
Las Vegas, NV 89143

Julie Porter

[REDACTED]
Las Vegas, NV 89143

Jacob R. Porter

[REDACTED]
Las Vegas, NV 89131

Jason L. Porter

[REDACTED]
Cold Creek, NV 89124

Lyndi L. Porter

[REDACTED]
Cold Creek, NV 89124

From: [Jack Zerkle](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB286
Date: Tuesday, March 16, 2021 8:27:05 PM

My name is Orpha Zerkle. I live at [REDACTED], Las Vegas, NV 89131 .
March 16, 2021

I strongly object to AB 286 for several reasons among which are:

The right to bear arms is right to all given by the constitution of the United States of America to its citizens.

The right to open carry and conceal carry is needed now more than ever for our own protection and for the ability to protect our children. We don't only need the protection a firearm may give for ourselves and family in our homes but also when we are on a bike ride or a jog. Firearms for our personal protection may be needed in any venue. From the movie theater to attending church services, for walking from our cars into the supermarket and back again etc.

Please vote 'no' on AB 286.

Thank you,
OrphaZerkle

Sent from my iPhone

From: [Jared Raman](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB286
Date: Tuesday, March 16, 2021 8:44:09 PM

Please vote "no" on AB286. Gun control in Nevada disproportionately affects minorities. People in Nevada businesses aren't going to call the authorities on white people carrying firearms. They are going to use this law on people who are not white.

I already have enough problems dealing with harassment due to my skin color. I don't need you disarming me in businesses so that I can't protect my young son in potentially hostile environments that we are obligated to be in. If someone carries there against the establishment policy, they can be asked to leave or charged with trespassing. Why is that not enough?

As for the homemade guns portion of the bill, this is a violation of both the US AND Nevada constitution. It's not the government's business what property people own. It also won't stop a single criminal. It will however disproportionately affect people with lower incomes as homemade firearms are often the most budget minded way for impoverished families to lawfully protect themselves. Not everyone can afford complete and reliable manufactured firearms.

Please vote no on AB286. Thank you.

Jared Raman

Sparks, NV

[Sent from Yahoo Mail on Android](#)

From: [Wes Smith](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AB286
Date: Tuesday, March 16, 2021 8:21:09 PM

Please vote against this bill. I work in a public building and if this bill passes, I would be disarmed and a sitting duck for any criminal who wanted to do us harm.

I also believe this bill would be unconstitutional.

Wesley Smith

[REDACTED]

Bunkerville, NV 89007

From: [Anne Peirce](#)
To: [Assembly Judiciary Exhibits](#)
Subject: AGAINST AB 286
Date: Wednesday, March 17, 2021 7:53:46 AM

March 17, 2021

I am very much opposed to the passage of AB 286, that is being heard this morning, for several reasons the most important of which is the potential of taking away my Second Amendment rights to carry my firearm in most places in Nevada.

I have had a private carry permit for many years now of which I qualified for under the law. I want to remain having the ability to defend myself and my family.

I urge you to oppose the passage of AB 286.

Sincerely,
Denis D. Peirce



Reno, NV 89521

From: [Dick Takahashi](#)
To: [Assembly Judiciary Exhibits](#)
Subject: Assembly Bill 286
Date: Tuesday, March 16, 2021 3:13:21 PM

I am strongly opposed to the provisions of AB 286.

When WWII started, I was an 8-year old boy who was born and living in Hawaii. Shortly after the war started (in 1942), I remember the day the Government seized my Dad's shotgun. He too, was born and raised in Hawaii. They even confiscated my BB Gun !!!

The reason? We were of Japanese descent. They did not confiscate guns from our neighbors and others who were not of Japanese background

I proudly served and retired from the military (serving in both the U.S. Navy and U.S. Air Force), and I did so to defend our country, and the U.S. Constitution as all others have done and continue to do so, including our elected officials, who all pledged the same.

And also because of my personal experience, I am a strong defender of our 2nd amendment. Without that, I believe that America as we know it, will eventually fail as a nation.

My opposition to AB 286 is shared by 11 other adult family members who are registered Nevada (Las Vegas & Henderson) voters.

Thank you,
Richard T. Takahashi
Lt. Col., USAF (Ret)

From: [Denise Cope](#)
To: [Assembly Judiciary Exhibits](#)
Cc: [Thomas Cope](#)
Subject: Assembly Bill 286
Date: Tuesday, March 16, 2021 10:10:08 PM

Greetings,

It has come to my attention that my right to conceal carry is being infringed upon, at the last minute. I understand a hearing will be held tomorrow, March 17, 2021 at 8 a.m. With that in mind, I write to you and provide opposition to this bill, for the following reasons:

First, the Constitution of the United States is the governing document of this land. It holds the highest authority over all laws, and it was written to be upheld for this nation.

Second, the first ten amendments, known as the "Bill of Rights, provide individual rights to the citizens of the United States. More specifically, being addressed, the Second Amendment, provides every citizen the right to bear arms.

Understanding this, I petition you to uphold my right along with other citizens who desire to carry a firearm, whether open or concealed. It is the government's job to uphold and protect the rights of its citizens, not take them away.

I would also like to request, notice be provided to the citizens of Nevada when you hold meetings to discuss issues which affect our rights in the future.

Thank you for your time.

Sincerely,
Denise Cope

From: [robertditty88](#)
To: [Assembly Judiciary Exhibits](#)
Subject: Bill 286
Date: Tuesday, March 16, 2021 4:51:49 PM

Will you people up in Carson City please worry about the important things like taking care of the people that pay your salary and the real problems of the State and Bill 286 isn't it. You people want to punish all Law abiding gun owners for the stupidity of a few.

Sent from my iPad

From: [Steve Lehr](#)
To: [Assembly Judiciary Exhibits](#)
Subject: Bill 286
Date: Tuesday, March 16, 2021 2:46:42 PM

Another misplaced over reach to take away citizen's ability to self defense. What is the point of this. Is this like making cars that can go 80 mph illegal since the speed limit is 65mph. You're now a criminal because it can. It's a waste. Allow the Prosecutor to go after gun law violators under current laws. It's already in existing laws....
Fund Police

Sent from my iPhone

From: [Ben Reynolds](#)
To: [Assembly Judiciary Exhibits](#)
Subject: Concerning Bill 286
Date: Tuesday, March 16, 2021 2:24:30 PM

To Whom it May Concern,

The proposed bill is unlikely to substantively reduce gun crime in the State of Nevada and serves only to unjustly restrict the rights of CCW permit holders like myself who have been routinely and legally carrying concealed firearms into venues for over 5 years without any negative impact. The bill is also a redundant piece of legislation, since Nevadans already have the right to demand a person with a firearm to leave a private establishment or property with the full support of the law and its enforcers.

The last minute introduction of this bill shows that it is an underhanded attempt to restrict the rights of law abiding CCW permit holders while doing nothing to dissuade criminals. The bill contradicts the first article of the Nevada constitution, stating that “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.” Since it can generally be agreed that current CCW carriers visiting a restaurant are engaged in lawful behavior, this bill constitutes an unjust restriction of a constitutionally protected right and a gross misuse of legislative power that will not make our state any safer, but will infringe on law abiding citizens in the course of lawful commerce. It is imperative that this unconstitutional bill be opposed to protect the rights of Nevadans. Thank you,

-Ben Reynolds
Reno, NV

From: [John Slagle](#)
To: [Assembly Judiciary Exhibits](#)
Subject: Defeat gun legislation
Date: Tuesday, March 16, 2021 3:47:56 PM

The destruction of the right to have arms must stop. Do not pass this new legislation attacking our 2nd Amendment Rights!

Thank you,

John Slagle

Sent from my iPhone

From: [Thomas Cope](#)
To: [Assembly Judiciary Exhibits](#)
Subject: Fw: Assembly Bill 286
Date: Tuesday, March 16, 2021 10:54:00 PM

I agree with and repeat everything my wife voiced below. DO NOT allow this globalist/marxist movement take away our most important ability to physically defend ourselves from a tyrannical government. Read, understand and apply the principles of both the Declaration of Independence and the US Constitution.

I am a 21yr USAF veteran and still serving my nation as a Civil Servant employee of the USAF; I have raised my right hand twice to serve and protect the US Constitution. I love my "exceptional" country and want to SAVE it from self destructive path the Leftist/Progressive movement is leading us down. Turn back to Almighty God and chose LIFE.

Thomas Cope

----- Forwarded Message -----

From: Denise Cope [REDACTED]
To: AsmJUD@asm.state.nv.us <asmjud@asm.state.nv.us>
Cc: Thomas Cope [REDACTED]
Sent: Tuesday, March 16, 2021, 10:10:07 PM PDT
Subject: Assembly Bill 286

Greetings,

It has come to my attention that my right to conceal carry is being infringed upon, at the last minute. I understand a hearing will be held tomorrow, March 17, 2021 at 8 a.m. With that in mind, I write to you and provide opposition to this bill, for the following reasons:

First, the Constitution of the United States is the governing document of this land. It holds the highest authority over all laws, and it was written to be upheld for this nation.

Second, the first ten amendments, known as the "Bill of Rights, provide individual rights to the citizens of the United States. More specifically, being addressed, the Second Amendment, provides every citizen the right to bear arms.

Understanding this, I petition you to uphold my right along with other citizens who desire to carry a firearm, whether open or concealed. It is the government's job to uphold and protect the rights of its citizens, not take them away.

I would also like to request, notice be provided to the citizens of Nevada when you hold meetings to discuss issues which affect our rights in the future.

Thank you for your time.

Sincerely,
Denise Cope

From: [Denny Kevish](#)
To: [Assembly Judiciary Exhibits](#)
Subject: Ghost guns
Date: Tuesday, March 16, 2021 2:55:35 PM

We are pro gun and firmly believe in the second amendment, had guns since I was 8 years old, please leave everything alone

Sent from my iPhone, have a great day Denny Rene.

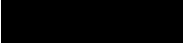
From: [Mike Salerno](#)
To: [Assembly Judiciary Exhibits](#)
Subject: Gun rights
Date: Tuesday, March 16, 2021 3:52:32 PM

Do not under any circumstances touch the current gun laws in the state of Nevada, without putting it on a ballot to be voted on by the legal residence of this state. If you do this "We The People" will not stand for. We will carry our guns regardless of the law. We have to protect ourselves since our elected officials do not protect us. The legal gun owners are not the problem It is the criminals. Right now you the liberal government officials keep letting criminals into our towns, our cities, our states and our country. We The People have a right to protect ourselves, especially because you and dipshit Democrats keep taking money and resources away from people that are supposed to protect us.

Sent from my iPhone

From: [Colleen Drinnon](#)
To: [Assembly Judiciary Exhibits](#)
Subject: Assembly bill 286
Date: Tuesday, March 16, 2021 6:30:57 PM

This is an unconstitutional bill, not to mention ridiculous. Why would you want to take guns out of law abiding citizens hands? That is exactly what this law would do, only the bad guys would be carrying. How do we protect ourselves against them if we are unarmed. This would be a mistake and pray it will not pass.

Sincerely
Colleen Drinnon
Moapa, NV


From: [Bert Lawson](#)
To: [Assembly Judiciary Exhibits](#)
Date: Tuesday, March 16, 2021 7:21:48 PM

Are government needs to act responsible with securing are boarders and any crimes committed after any new gun laws would make my government a gang member with illegals. I think my government is racists and hate white people. If biden signs any new gun laws he should be charged with breaking the oath of office. He should practice what he preaches and send the gun carrying national guard home to be with there family.

From: [H.Mills](#)
To: [Assembly Judiciary Exhibits](#)
Subject: NO - On Assembly 286
Date: Tuesday, March 16, 2021 4:06:43 PM

As a proud Nevadan, I strongly oppose Assembly Bill 286. And any other Bill and/or measures that arise regarding Gun Rights, in the current Assembly Judiciary Committee during the 2021 legislative session.

Please ensure my opinion on this matter of NOT changing NV law on Gun Rights is communicated to the full body of the Assembly Judiciary Committee, which is currently reviewing Assembly Bill 286.

Regards,

Harry Mills
Genoa, NV

From: [Jared Wolfley](#)
To: [Assembly Judiciary Exhibits](#)
Subject: Oppose AB286
Date: Tuesday, March 16, 2021 6:44:14 PM

Please vote no on AB286. This is unconstitutional for law abiding citizens and another example of government overreach. Criminals don't care about any law you make, it only affects good lawful citizens. Please vote no in its entirety for this bill.

Jared Wolfley



Moapa NV 89025

Sent from my iPhone

From: [cyan678](#)
To: [Assembly Judiciary Exhibits](#)
Subject: oppose AB286
Date: Tuesday, March 16, 2021 3:53:21 PM

This is a horrible bill that goes directly against the heart of the Nevada constitution.
Do not vote in favor of this bill!

Ray Kemple

Sent from my Sprint Samsung Galaxy S20 5G.

From: [Hanson, Nichole](#)
To: [Assembly Judiciary Exhibits](#)
Subject: Opposing AB286
Date: Tuesday, March 16, 2021 8:23:41 PM

As a female I would like to reserve the right to be able to either open carry or conceal carry for personal protection without these weird additional and vague rules. These consequences to going against the constitution of Nevada are not necessary. I think this severely impacts peoples private rights to ownership. And I strongly oppose this.

From: [Lisa Mayo-DeRiso](#)
To: [Assembly Judiciary Exhibits](#)
Subject: Opposition to AB286
Date: Tuesday, March 16, 2021 9:09:08 PM

Dear Assembly Judiciary Committee,

Today I write to participate in the not-so-convenient public debate on AB286. I oppose this bill based on the sole premise that it infringes on my 2nd Amendment rights, and impedes my ability to protect myself and my family in public places in my community. With crime on the rise in almost every community, people who are responsible gun owners and hold a Concealed Carry permit are being denied their Constitutional Right to carry a gun for safety. More glaringly, AB286 does nothing to keep criminals from getting guns. In reality this bill punishes responsible gun owners and gives criminals an edge in crime committed on "covered premises". I urge you to deny AB286.

Respectfully,

Lisa Mayo-DeRiso
President/CEO

Mayo & Associates | OnPoint Campaigns | First Tuesday|
Las Vegas, Nevada

Integrated Marketing Communications, Political Campaign Management, Business and Government Consulting

Mobile [REDACTED]

"If I was down to my last dollar, I would spend it on public relations."..... Bill Gates
"The purpose of business is to create a customer"...Peter Drucker

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From: [missionhighboy](#)
To: [Assembly Judiciary Exhibits](#)
Subject: pending bill
Date: Wednesday, March 17, 2021 6:23:44 AM

Greetings,

It seems obvious to me that the most violent cities are those in states where there is the most gun control. I do not support any news gun laws.

Regards

Scott Cantacessi

Sent via the Samsung Galaxy S7, an AT&T 4G LTE smartphone

From: Herbert Russell

To: Assembly Judiciary Exhibits

Cc: Herbert Russell

Subject: Re: Assembly Bill 286

Date: Tuesday, March 16, 2021 2:21:46 PM

To the Judiciary Committee :

The mere fact that such a bill as Assembly Bill 286 would even merit ANY consideration is an affront to law abiding gun owners and CCW permit holders throughout the state of Nevada. Our constitutional rights are being assaulted daily from many sources..... state, federal, and mainstream media. We see laws being proposed that are nothing more than restrictions without any justifiable reasons whatsoever. There is absolutely no justification for limiting the access of legal gun owners to any public building. When have they ever posed a threat to public safety? Quite the contrary, I would feel much safer knowing that there are armed law abiding citizens willing to protect their fellow Nevadans at any time and in any place. Why would we want to restrict and even PUNISH good people for this? THERE IS NO JUSTIFICATION !!! We should realize that not all citizens want to exercise their rights with regards to firearms, but infringing upon the rights of those who do is unconstitutional and downright wrong. This bill (Assembly Bill 286) is a perfect example of unnecessary restriction with no justification. Every right enumerated in our Constitution is sacred and vital to the success of our great nation. Each and every attempt to diminish any one of them MUST be recognized and eliminated. I wish to hereby request that this bill, and any future bill in any way similar to it, never be seriously considered.

Thank you.

Herbert Russell

From: [David Holloway](#)
To: [Assembly Judiciary Exhibits](#)
Subject: Remote Testimony AB286 - Opposed
Date: Tuesday, March 16, 2021 3:57:21 PM

Another horrible bill from Nevada's Democrat majority.

Criminals don't obey gun free zones, and the passage of this bill would only further the chances of large groups of people being easy targets for mass murdering psychopaths. Completely irresponsible and another attack on gun rights by Sandra Jauregui who holds a high disdain for Nevada and it's gun owners. I oppose this bill entirely. It is a violation of the state constitution and should require a 2/3's vote to amend, with the subsequent public votes and reconfirmation.

- Cody Cunningham 89141

From: [jeff.baggins](#)
To: [Assembly Judiciary Exhibits](#)
Subject: Testimony Submission AB286
Date: Tuesday, March 16, 2021 3:53:06 PM

This testimony is in regards to opposition to AB286.

This bill is direct discrimination from a lawmaker who has a personal vendetta against gun rights. Post OCT 1, the FBI conducted a report that provided data suggesting that 90% + mass shootings occur in gun free zones, and that when an armed citizen was present with a gun within the gun free zone, they ended the mass shooting 7-10 minutes faster than the police and with an almost 100% effective rate.

The facts are completely against Jauregui on this. I oppose this bill, unless amended to exempt concealed carry permit holders.

- Jeff Baggins, NV Resident.

From: [lynn Walker](#)
To: [Assembly Judiciary Exhibits](#)
Subject: Vote no on AB286
Date: Tuesday, March 16, 2021 10:27:08 PM

As a law abiding citizen, constituent and registered voter, please vote no on this bill. This bill is yet one more attempt to disarm law abiding citizens of their 2nd amendment right. Please remember our constitution first, not fear!

Vera Walker
District 31

Faith & Fear cannot reside together

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

**Eighty-First Session
April 9, 2021**

The Committee on Judiciary was called to order by Chairman Steve Yeager at 9:03 a.m. on Friday, April 9, 2021, Online. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/81st2021.

COMMITTEE MEMBERS PRESENT:

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

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblywoman Sandra Jauregui, Assembly District No. 41

Minutes ID: 724



STAFF MEMBERS PRESENT:

Diane C. Thornton, Committee Policy Analyst
Ashlee Kalina, Assistant Committee Policy Analyst
Bradley A. Wilkinson, Committee Counsel
Bonnie Borda Hoffecker, Committee Manager
Traci Dory, Committee Secretary
Melissa Loomis, Committee Assistant

OTHERS PRESENT:

George Hartline, Private Citizen, Section, Alabama
Tonja Brown, Private Citizen, Carson City, Nevada
Annemarie Grant, Private Citizen, Quincy, Massachusetts
Ayesha Molino, Senior Vice President, Government Affairs, MGM Resorts
International

Chairman Yeager:

[Roll was called. Committee protocol and rules were explained.] We have a work session with 18 bills. I will not go in order because we have some guests on Zoom, and I would like to take some of those bills so they can move on with their day accordingly. As a reminder to Committee members and members of the public, the work session document is on Nevada Electronic Legislative Information System under the exhibits tab. Each bill has its own work session document. We will begin with Assembly Bill 201.

Assembly Bill 201: Revises provisions relating to informants. (BDR 14-777)

Diane C. Thornton, Committee Policy Analyst:

Assembly Bill 201 was sponsored by Assemblywoman González and was heard in Committee on March 11, 2021 [[Exhibit C](#)]. This bill establishes procedures regarding the use of an informant who provides testimony or information on behalf of the state based on any statement made by a defendant in jail or prison. Each office of a prosecuting attorney is to maintain complete and systematic records of cases prosecuted by the office in which testimony or information was provided by an informant. Additionally, if a prosecuting attorney intends to use testimony or information provided by an informant in a hearing or trial, the prosecuting attorney must disclose the certain information or materials to the defense.

There is one amendment to this bill sponsored by Assemblywoman González, which does the following:

1. Adds in section 4 the definition of "cooperation agreement";
2. Clarifies in section 5 the use of the cooperation agreement and that the prosecuting attorney must maintain certain records including the cooperation agreement;

Committee members, thank you for helping us get through this work session. At this time, I will recess to the call of the Chair and would ask members not to leave the building or go too far, because there is a possibility that we might be coming back to consider other bills either this morning or this afternoon. I do not know if that is going to be the case yet. If you could please stay close and monitor your email. If we do end up coming back for additional bills today, I will let you know by email, text message, and other means. Thank you, Committee, for your hard work so far.

[Recess to the call of the Chair at 10:19 a.m.]

Chairman Yeager:

I will call the Assembly Committee on Judiciary back to order and out of recess [at 11:14 a.m.]. We have all members present. There is an item at the bottom of the agenda that says, "Possible work session on measures previously considered" can be added to the agenda, and that is what has happened here today. There was not a revised agenda put out because we were in recess; it is still the same agenda we were working on earlier.

Before we take the last bill today, there are a couple of members who wanted to raise matters.

Assemblyman O'Neill:

I am asking for a motion to be presented to you. I would like time. This bill was not on the agenda at all. I understand that it can come up in the future, but there are large, multipage amendments. We just got notified 15 or 20 minutes ago to get back here to start considering Assembly Bill 286. To me, this is no way we should be conducting business on such an important and serious bill. I appreciate parts of this bill. I truly do. But at the end of the day, it is a Second Amendment right that can be lost due to part of this bill. I would ask if we could at least continue until after floor to give us time to get together and read this in total.

Chairman Yeager:

I am not going to recognize that motion at this time. I will note that before we do anything on the bill, we will go through the work session document. We do have the sponsor of the bill and two others on the call to be able to take us through the amendment to answer any questions. Even though you do have a long document in front of you, I think it is only a few items that have been amended from the hearing. I appreciate the request. I am not going to recognize the motion at this time.

Assemblyman Wheeler:

I was going to ask you the exact thing that Assemblyman O'Neill did. We have an 18-page amendment. I understand on deadline day that things move quickly, but for a bill this important, I think the public should also be engaged, which, of course, is not happening here with this quickness going on. I would love to see us come back after floor and give us an hour or so to go over this.

Chairman Yeager:

Before I make any additional comments, let me go ahead and open up the work session on Assembly Bill 286. Before I hand it over to Ms. Thornton, I want to address your request and Assemblyman O'Neill's request and indicate that we are going to consider the bill now. Although the document in front of you is about 18 pages, the only new language being added is the language that you will find in green. We will have a chance to go through it and answer any questions you may have.

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

Diane C. Thornton, Committee Policy Analyst:

Assembly Bill 286 was sponsored by Assemblywoman Jauregui and was heard in Committee on March 17, 2021 [[Exhibit U](#)]. This bill makes it unlawful for a person to possess a firearm on a covered premises without the written consent of the owner or operator of the covered premises or an agent thereof after being warned by the owner, operator, or agent that possessing the firearm on the covered premises is prohibited. This bill also prohibits a person from possessing, selling, offering to sell, transferring, purchasing, transporting, or receiving:

- An unfinished frame or receiver unless the person is a firearms importer or manufacturer or the unfinished frame or receiver is required to be, and has been, imprinted with a serial number; and
- A firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer in accordance with federal law and any regulations adopted under certain circumstances.

Assemblywoman Sandra Jauregui proposed an amendment, which does the following:

1. Revises the requirement for posting a sign warning against possessing a firearm on a covered premises;
2. Amends the exceptions regarding persons allowed to enter a covered premises to include an officer of a law enforcement agency or a security officer who is required to carry a firearm as part of his or her official duties and who is acting in his or her official capacity, including the observance of meal or other authorized breaks;
3. Revises the definition of "covered premises" to mean any real property owned or operated by a person that holds a nonrestricted gaming license or affiliates; and
4. Amends the definition of a person who is a firearms importer or manufacturer.

Chairman Yeager:

Before I take questions, I want to give our sponsor of the bill, Assemblywoman Jauregui, and a couple of other representatives on Zoom with us a chance to state what the amendment effectively does in relation to the bill as we heard it in Committee.

Assemblywoman Sandra Jauregui, Assembly District No. 41:

I had many meetings post-hearing with the members and took many of their concerns into consideration and many concerns that we are still working through.

Amendment 1 revises the requirements of the sign. In the original language, you notice there was just verbiage that was needed to be included in a conspicuous space, and it said it only had to be in one-inch block letters. After hearing concerns from the members, we went ahead and stated in the language that you had to post a sign that could not be smaller than 8.5 inches by 11 inches and we designed what the sign must look like and what verbiage must be included and specified that it must be posted at every single public entrance to a covered premise that opts in to this policy.

We also spoke with our law enforcement officers and took their recommendation that they wanted to include "in observance of meal or authorized breaks." The language already stated that if they were acting within the scope of their work, they were allowed to be on the premises. They wanted to make sure that their 15-minute breaks and lunch breaks were also covered. We were happy to accommodate that request.

We revised the definition of "covered premises" to include only those that have non-restricted gaming licenses and their affiliates. That would limit the people who could opt in to this policy. Also, in the ghost gun portion, we further defined who an importer or manufacturer was to clear up that it would be illegal not just for a manufacturer to sell a ghost gun to an individual, but to sell it to another manufacturer as well.

Those were the only four amendments we made to this bill post-hearing. Thank you for the opportunity.

Chairman Yeager:

Just to confirm, are those the items that appear in the green language in the amendment?

Assemblywoman Jauregui:

Yes, Chairman Yeager, they are.

Chairman Yeager:

Are there questions from the Committee members?

Assemblyman O'Neill:

I want to thank Assemblywoman Jauregui for working on this; I think she has come a long way. In dealing with the officers, are you still talking about only on-duty officers? How about off-duty officers who carry a firearm, particularly officers visiting from out of state who are tourists that have H.R. 218 [Law Enforcement Officers Safety Act of 2004] privileges? Is there any amendment that you would consider to allow them?

Assemblywoman Jauregui:

I recall your asking this question during the hearing and the answer is the same. We are not changing anything that is current policy. Right now, an off-duty officer cannot be on private premises that have a no-firearm policy, whether or not they are an officer who happens to be off-duty or have a concealed-carry weapon. We do not want to change what the current practices are; we are only strengthening it by adding teeth.

Assemblywoman González:

I am prepared to vote this bill out of Committee today; however, I want to get on the record the concerns my colleagues and I addressed to you relating to the enforcement of this bill. I want to confirm and get on the record that you commit to address these concerns.

Assemblywoman Jauregui:

Your concerns are critically important ones. I have worked with you and your colleagues and I am going to continue to work with you and your colleagues. You have my commitment that I will work with you and your colleagues and those in this Committee and the Assembly members outside of this Committee to address all of your concerns while still keeping with the intent of the bill that is to reduce gun violence on the Strip, which we can all agree is a priority. You have my commitment as your colleague.

If it is okay with you, Chairman Yeager, I would like to turn it over to Ms. Molino so she can weigh in on our commitment to work with this Committee as well.

Ayesha Molino, Senior Vice President, Government Affairs, MGM Resorts International:

You have our commitment that we will continue to work with Assemblywoman Jauregui as well as all the members of the Assembly and this Committee on finding a solution to the very important concerns that have been raised.

Chairman Yeager:

Are there additional questions at this time? [There were none.] I am looking for a motion to amend and do pass A.B. 286.

ASSEMBLYWOMAN NGUYEN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 286.

ASSEMBLYMAN MILLER SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblywoman Hardy:

I appreciate the work that has gone into this and some of the amendments. There are still some questions I have, and I want to spend some time reading this in hopes that maybe there can be some more work done on this. I will be a no right now because I want to spend more time with it, but I do appreciate the work that has been done.

Chairman Yeager:

Again, I will remind Committee members, not just on this bill but on anything we hear in work session, I would expect that you all would review the amendments once they come out before it gets amended on the floor. Obviously, you reserve your right to change your vote and my only request would be that you let me know before we take the vote on the floor so there are no surprises. Is there any further discussion on the motion?

Assemblywoman Summers-Armstrong:

I appreciate your courage in bringing this bill forward. I have no issues, as we have discussed, with the ghost gun portion of the bill. My concerns lie with the lack of verbal notice to visitors who are open carrying or who are discovered to be concealed carrying as they are coming on the property—specifically, how this legislation could impact the Black community and other communities of color. I have had several opportunities to speak with you. You have assured me that this particular issue of verbal notice will have discussions beginning Monday of next week. I want to make it clear on the record that the issues I am concerned about have to do with verbal notice, so we can make sure those people who may not see a sign or may not understand the full import of the sign can at least have some conversation.

I think so many issues that have to do with how we interact with one another when we do not speak to one another, when we do not have conversation, when we omit that portion of our interactions as humans, lead to confusion. I do not want anyone to be at risk, but I think there are opportunities for those who are professionals at these large hotels and holders of full casino privileges. They have opportunities, and I would like to see that happen so we do not have people inadvertently end up in the criminal justice system, since the first trespass under this would be a misdemeanor.

Assemblyman Wheeler:

I think I have spoken until I am blue in the face on this bill. I think I will just hold my comments until floor.

Chairman Yeager:

Thank you, Assemblyman Wheeler. It sounds like there could be an additional amendment before we get to that point. Maybe that will satisfy additional concerns. I think the sponsor has indicated that she will keep working on it after today.

Is there additional discussion from Committee members on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN HANSEN, HARDY, KASAMA, KRASNER, O'NEILL, AND WHEELER VOTED NO.)

I will assign the floor statement to Assemblywoman Jauregui and thank you for your willingness to keep working on this bill past today's deadline.

That will close our work session. Committee, a lot of hard work goes into this work session document and getting us ready. Members, you have a role to play in getting us through these agendas, but I wanted to recognize our staff who work a lot harder than all of us know. In particular, this week, our staff that we have here in Committee—Ms. Thornton; Mr. Wilkinson; our committee manager, Ms. Hoffecker; and assisting Ms. Thornton is Ms. Kalina and Ms. Coons as well. I can tell you they have been up at all hours of the night preparing this work session document so we can get through it in a timely manner. I know that because when I text or email them at 1 a.m., they respond immediately. I want to recognize their hard work. If you or members of the public appreciate the way that the Assembly Committee on Judiciary is run, that is a testament to the staff who works really hard, especially in this virtual environment.

I do not want to leave out our committee secretaries. They are behind the scenes, and since we are not in a room together, we do not see them. We have Karyn Werner, Jordan Carlson, and Traci Dory, who has been pulling double duty in covering a lot of these days. I want to thank them. Linda Whimple does our Committee minutes, and Melissa Loomis is our committee assistant. I do not know if we can really do it on Zoom, but maybe a virtual round of applause for all the work they do. I want to say thank you, because it makes my life extraordinarily easy and I think it helps us get through these meetings. I wanted to take that opportunity to say thank you. We do not say it enough, as well as our Broadcast and Production Services staff, who is here every day—it is the voice of God helping us through these meetings. We appreciate you as well.

We are not going to have a Committee meeting on Monday. We only have three Senate bills in our Committee right now that we could hear next week, so I think we will probably try to hear those at some point; I am not sure when. For now, do not plan on a Monday meeting because we will not be here.

[Exhibit P](#) is the Work Session Document for [Assembly Bill 400](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit Q](#) is the Work Session Document for [Assembly Bill 406](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit R](#) is the Work Session Document for [Assembly Bill 414](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit S](#) is the Work Session Document for [Assembly Bill 424](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit T](#) is the Work Session Document for [Assembly Bill 425](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit U](#) is the Work Session Document for [Assembly Bill 286](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

Assembly Committee on Judiciary

This measure may be considered for action during today's work session.

ASSEMBLY BILL 286

Prohibits certain acts relating to firearms. (BDR 15-21)

Sponsored By: Assemblywoman Jauregui
Date Heard: March 17, 2021
Fiscal Notes: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: Yes.

This bill makes it unlawful for a person to possess a firearm on a covered premises without the written consent of the owner or operator of the covered premises or an agent thereof after being warned by the owner, operator, or agent that possessing the firearm on the covered premises is prohibited. This bill also prohibits a person from possessing, selling, offering to sell, transferring, purchasing, transporting, or receiving:

- An unfinished frame or receiver unless the person is a firearms importer or manufacturer or the unfinished frame or receiver is required to be, and has been, imprinted with a serial number; and
- A firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer in accordance with federal law and any regulations adopted under certain circumstances.

Amendments: Assemblywoman Sandra Jauregui proposed an amendment, which does the following:

1. Revises the requirement for posting a sign warning against possessing a firearm on a covered premises;
2. Amends the exceptions regarding persons allowed to enter a covered premises to include an officer of a law enforcement agency or a security officer who is required to carry a firearm as part of his or her official duties and who is acting in his or her official capacity, including the observance of meal or other authorized breaks;
3. Revises the definition of "covered premises" to mean any real property owned or operated by a person that holds a nonrestricted gaming license or affiliates; and
4. Amends the definition of a person who is a firearms importer or manufacturer.

SUMMARY—Prohibits certain acts relating to firearms. (BDR 15-21)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of
Imprisonment in County or City Jail or Detention Facility.

Effect on the State: Yes.

AN ACT relating to crimes; prohibiting a person from possessing a firearm on a covered premises under certain circumstances; prohibiting a person from engaging in certain acts relating to unfinished frames or receivers under certain circumstances; prohibiting a person from engaging in certain acts relating to firearms which are not imprinted with a serial number under certain circumstances; revising provisions relating to the confiscation and disposal of dangerous weapons; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law makes it a misdemeanor for a person to go upon the land or into any building of another person in certain circumstances, including willfully going or remaining on land or in a building after being warned by the owner or occupant not to trespass. (NRS 207.200) **Section 2** of this bill establishes similar provisions which make it unlawful for a person to possess a firearm on a covered premises without the written consent of the owner or operator of the covered premises or an authorized agent thereof after being warned by the owner, operator or authorized agent that possessing the firearm

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on the covered premises is prohibited. **Section 2** defines “covered premises” as real property that serves as certain venues, establishments, facilities and any real property extending to the property line thereof.

Section 2 provides that, for the purpose of determining whether a person has been given a sufficient warning against the possession of a firearm, the owner or occupant of the covered premises or an authorized agent thereof may: (1) conspicuously post a sign at the covered premises which contains specific language relating to the prohibition on firearms; or (2) if the covered premises is a public accommodation facility, provide guests at the time of check-in with documentation containing specific language relating to the prohibition on firearms. Upon the posting of the sign or implementation of a policy for the provision of the documentation, **section 2** requires the owner, operator or authorized agent to inform a law enforcement agency of the warning relating to the prohibition on firearms at the covered premises.

Section 2 provides that any person who possesses a firearm in such an unlawful manner: (1) for the first offense, is guilty of a misdemeanor; (2) for the second offense, is guilty of a gross misdemeanor; and (3) for the third or any subsequent offense, is guilty of a category E felony. **Section 9** of this bill adds an exception to the crime of trespass for application of the greater penalties prescribed by **section 2**.

Existing law establishes procedures for the disposal of certain dangerous instruments and weapons taken from the possession of a person charged with the commission of a public offense or crime or a child charged with committing a delinquent act. (NRS 202.340) **Section 8** of this bill requires firearms confiscated from the possession of a person who commits a third or subsequent

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violation of **section 2** to be disposed of in the manner provided for dangerous instruments and weapons.

Section 3 of this bill prohibits a person from possessing, selling, offering to sell, transferring, purchasing, transporting or receiving an unfinished frame or receiver unless the person is a firearms importer or manufacturer or the unfinished frame or receiver is required to be, and has been, imprinted with a serial number. **Section 3** provides that a person who commits such an unlawful act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty of a category D felony.

Section 4 of this bill prohibits a person from manufacturing or causing to be manufactured or assembling or causing to be assembled a firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer in accordance with federal law and any regulations adopted thereunder unless the firearm is: (1) rendered permanently inoperable; (2) an antique; or (3) a collector's item, curio or relic. **Section 4** provides that a person who commits such an unlawful act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty of a category D felony.

Similarly, **section 5** of this bill prohibits a person from possessing, selling, offering to sell, transferring, purchasing, transporting or receiving a firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer in accordance with federal law and any regulations adopted thereunder unless: (1) the person is a law enforcement agency or a firearms importer or manufacturer; or (2) the firearm is rendered permanently inoperable or is an antique, collector's item, curio or relic. **Section 5** provides that a person who commits such an unlawful

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act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty of a category D felony.

Section 6 of this bill defines the terms “antique firearm” and “firearm importer or manufacturer.” **Section 7** of this bill makes a conforming change relating to the new definitions.

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

Section 1. Chapter 202 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

Sec. 2. 1. *A person shall not possess a firearm on a covered premises without the written consent of the owner or operator of the covered premises or an authorized agent thereof after having been warned by the owner, operator or authorized agent that the person is prohibited from possessing the firearm on the covered premises.*

2. A sufficient warning against possessing a firearm on a covered premises, within the meaning of this section, is given by posting the below sign ~~in a conspicuous~~ at each public entrance, including a public entrance to a parking lot or parking structure which must not be less than 8-1/2” by 11”



(a) If part of the covered premises is a public accommodation facility, guests may be provided at the time of check-in with a document which contains the language: "Firearms are prohibited on this property unless the person wishing to possess the firearm has obtained the written consent of the owner or operator of this property or an authorized agent thereof."

3. Upon the posting of a sign described in paragraph (a) of subsection 2 or the implementation of a policy for the provision of the documentation described in paragraph (b) of subsection 2, the owner or operator of the covered premises or the authorized agent thereof shall inform a law enforcement agency with jurisdiction over a violation of subsection 1 that a sufficient warning within the meaning of this section is being provided on the covered premises.

4. A person who violates subsection 1:

(a) For the first offense, is guilty of a misdemeanor;

(b) For the second offense, is guilty of a gross misdemeanor; and

(c) For the third or any subsequent offense, is guilty of a category E felony and shall be punished as provided in NRS 193.130.

5. This section:

(a) Except as otherwise provided in paragraph (b), applies to any person entering a covered premises, including, without limitation, any person who is the holder of a permit to carry a concealed firearm issued pursuant to NRS 202.3653 to 202.369, inclusive.

(b) Does not apply to:

(1) An officer of a law enforcement agency or a security officer of the covered premises, who is required to carry a firearm as part of his or her official duties and who is acting in his or her official capacity, including the observance of meal or other authorized breaks, at the time of possessing the firearm on the covered premises;

(2) A residential unit owner who:

(I) Carries or stores a firearm in his or her unit;

(II) Carries a firearm directly to his or her unit from a location where he or she is authorized to carry or store a firearm under this subparagraph or from his or her unit to a location where he or she is authorized to carry or store a firearm under this subparagraph;

(III) Carries or stores a firearm in his or her vehicle located in a parking area designated for the residential unit owner; or

(IV) Carries a firearm directly to his or her vehicle located in a parking area designated for the residential unit owner from a location where he or she is authorized to carry or store a firearm under this subparagraph or from such a vehicle to a location where he or she is authorized to carry or store a firearm under this subparagraph.

(3) A guest of a public accommodation facility who:

(I) Purchases a firearm at a trade show in this State;

(II) Transports the purchased firearm directly from the trade show to the public accommodation facility in accordance with all applicable laws;

(III) Enters the public accommodation facility with the firearm unloaded and contained within a bag; and

(IV) Notifies the public accommodation facility in writing that his or her bag contains an unloaded firearm.

—

(4) For a trade show that features firearms as the major purpose of the event, an employee or operator who:

- (I) Possesses or displays a firearm or inoperable firearm as part of their employment at the trade show; and*
- (II) Transports an operable or inoperable firearm directly to or from a parking or staging area to the trade show as part of their employment.*

6. Nothing in this section shall:

(a) Prohibit or restrict an owner or operator of a covered premises from adopting or enforcing a rule, policy or practice concerning or prohibiting the presence of firearms on the covered premises; or

(b) Require an owner or operator of a covered premises to adopt or enforce a rule, policy or practice concerning or prohibiting the presence of firearms on the covered premises.

7. As used in this section:

(a) "Condominium hotel" has the meaning ascribed to it in NRS 116B.060.

(b) "Consent" does not include consent that is induced by force, threat or fraud.

(c) "Covered premises" means any real property owned or operated by a person that holds, or is an affiliate of a person who holds, a nonrestricted gaming license under NRS Chapter 463, including all tenants and business establishments located therein.

(I) The term applies to any real property extending to the property line of the covered premises, including, but not limited to, indoor and outdoor areas such as swimming pool areas; parking lots, parking garages, or any other parking facilities; exterior spaces; and outdoor attractions or venues.

(d) "Law enforcement agency" has the meaning ascribed to it in NRS 289.010.

(e) "Public accommodation facility" means a hotel and casino, resort, hotel, condominium hotel, motel, hostel, bed and breakfast facility or other facility offering rooms or areas to the public for monetary compensation or other financial consideration on an hourly, daily or weekly

basis.

(f) "Residential unit owner" has the meaning ascribed to it in NRS 116B.205.

Sec. 3. 1. A person shall not possess, sell, offer to sell, transfer, purchase, transport or receive an unfinished frame or receiver unless:

(a) The person is a firearms importer or manufacturer; and in the case of a sale, offer to sell, or transfer that the recipient is also a firearms importer or manufacturer; or

(b) The unfinished frame or receiver is required by federal law to be imprinted with a serial number issued by an importer or manufacturer and the unfinished frame or receiver has been imprinted with the serial number.

2. A person who violates this section:

(a) For the first offense, is guilty of a gross misdemeanor; and

(b) For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130.

3. As used in this section, "unfinished frame or receiver" means a blank, a casting or a machined body that is intended to be turned into the frame or lower receiver of a firearm with additional machining and which has been formed or machined to the point at which most of the major machining operations have been completed to turn the blank, casting or machined body into a frame or lower receiver of a firearm even if the fire-control cavity area of the blank, casting or machined body is still completely solid and unmachined.

Sec. 4. 1. A person shall not manufacture or cause to be manufactured or assemble or cause to be assembled a firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer in accordance with federal law and any regulations adopted thereunder unless the firearm:

—

- (a) Has been rendered permanently inoperable;*
- (b) Is an antique firearm; or*
- (c) 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.*

2. A person who violates this section:

- (a) For the first offense, is guilty of a gross misdemeanor; and*
- (b) For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130.*

3. As used in this section:

- (a) "Assemble" means to fit together component parts.*
- (b) "Manufacture" means to fabricate, make, form, produce or construct by manual labor or machinery.*

Sec. 5. 1. A person shall not possess, sell, offer to sell, transfer, purchase, transport or receive a firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer in accordance with federal law and any regulations adopted thereunder unless:

- (a) The person is:*
 - (1) A law enforcement agency; or*
 - (2) A firearms importer or manufacturer; or*
- (b) The firearm:*
 - (1) Has been rendered permanently inoperable;*
 - (2) Is an antique firearm; or*
 - (3) 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.*

2. A person who violates this section:



(a) For the first offense, is guilty of a gross misdemeanor; and

—

(b) For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130.

3. As used in this section, "law enforcement agency" has the meaning ascribed to it in NRS 239C.065.

Sec. 6. NRS 202.253 is hereby amended to read as follows:

202.253 As used in NRS 202.253 to 202.369, inclusive ~~H~~, *and sections 2 to 5, inclusive, of this act:*

- 1. "Antique firearm" has the meaning ascribed to it in 18 U.S.C. § 921(a)(16).*
2. "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.
- ~~12~~ *3. "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.*
- ~~13~~ *4. "Firearm capable of being concealed upon the person" applies to and includes all firearms having a barrel less than 12 inches in length.*
- ~~14~~ *5. "Firearms importer or manufacturer" means a person licensed to import or manufacture firearms pursuant to 18 U.S.C. Chapter 44.*
6. "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.
- ~~15~~ *7. "Motor vehicle" means every vehicle that is self-propelled.*
- ~~16~~ *8. "Semiautomatic firearm" means any firearm that:*

- (a) Uses a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next shell or round;
- (b) Requires a separate function of the trigger to fire each cartridge; and
- (c) Is not a machine gun.

Sec. 7. NRS 202.2548 is hereby amended to read as follows:

202.2548 The provisions of NRS 202.2547 do not apply to:

1. The sale or transfer of a firearm by or to any law enforcement agency and, to the extent he or she is acting within the course and scope of his or her employment and official duties, any peace officer, security guard entitled to carry a firearm under NAC 648.345, member of the armed forces or federal official.
2. The sale or transfer of an antique firearm. ~~[as defined in 18 U.S.C. § 921(a)(16)]~~
3. The sale or transfer of a firearm between immediate family members, which for the purposes of this section means spouses and domestic partners and any of the following relations, whether by whole or half blood, adoption, or step-relation: parents, children, siblings, grandparents, grandchildren, aunts, uncles, nieces and nephews.
4. The transfer of a firearm to an executor, administrator, trustee or personal representative of an estate or a trust that occurs by operation of law upon the death of the former owner of the firearm.
5. A temporary transfer of a firearm to a person who is not prohibited from buying or possessing firearms under state or federal law if such transfer:
 - (a) Is necessary to prevent imminent death or great bodily harm; and

(b) Lasts only as long as immediately necessary to prevent such imminent death or great bodily harm.

6. A temporary transfer of a firearm if:

(a) The transferor has no reason to believe that the transferee is prohibited from buying or possessing firearms under state or federal law;

(b) The transferor has no reason to believe that the transferee will use or intends to use the firearm in the commission of a crime; and

(c) Such transfer occurs and the transferee's possession of the firearm following the transfer is exclusively:

(1) At an established shooting range authorized by the governing body of the jurisdiction in which such range is located;

(2) At a lawful organized competition involving the use of a firearm;

(3) While participating in or practicing for a performance by an organized group that uses firearms as a part of the public performance;

(4) While hunting or trapping if the hunting or trapping is legal in all places where the transferee possesses the firearm and the transferee holds all licenses or permits required for such hunting or trapping; or

(5) While in the presence of the transferor.

Sec. 8. NRS 202.340 is hereby amended to read as follows:

202.340 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 ~~+~~ *or when any firearm is taken from the possession of any person charged with a third or subsequent violation of section 2 of this act*, the instrument, ~~+~~ weapon *or firearm* 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, ~~+~~ weapon *or firearm* must be surrendered to the sheriff of the county or the sheriff of the metropolitan police department for the county in which the instrument, ~~+~~ weapon *or firearm* 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, ~~+~~ weapon *or firearm* is surrendered pursuant to subsection 1 to:

(a) Retain the confiscated instrument, ~~+~~ weapon *or firearm* for use by the law enforcement agency headed by the officer;

(b) Sell the confiscated instrument, ~~+~~ weapon *or firearm* to another law enforcement agency;

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

(d) Trade the confiscated instrument , ~~the~~ weapon *or firearm* 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 , ~~the~~ weapon *or firearm* 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 , ~~the~~ weapon *or firearm* is surrendered pursuant to subsection 1 shall:

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

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

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

(c) Retain the confiscated instrument , ~~the~~ weapon *or firearm* 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 , ~~the~~ weapon *or firearm* 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 , ~~the~~ weapon *or firearm* shall submit a full description of the instrument , ~~the~~ weapon *or firearm* to a laboratory which provides forensic services in this State. The director of the laboratory shall determine whether the instrument , ~~the~~ weapon ~~is~~ *or firearm:*

(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.

Sec. 9. NRS 207.200 is hereby amended to read as follows:

207.200 1. Unless a greater penalty is provided pursuant to NRS 200.603 ~~+~~ *or section 2 of this act*, 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) Painting with fluorescent orange paint:

(1) Not less than 50 square inches of a structure or natural object or the top 12 inches 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) Fencing the area;

(c) Posting “no trespassing” signs or other notice of like meaning at:

(1) Intervals of such a distance as is necessary to ensure that at least one such sign would be within the direct line of sight of a person standing next to another such sign, but at intervals of not more than 500 feet; and

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

(d) Using the area as cultivated land; or

(e) 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) “Cultivated land” means land that has been cleared of its natural vegetation and is presently planted with a crop.

(b) “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.

(c) "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.

Sec. 10. 1. This section and sections 1 to 4, inclusive, and 6 to 9, inclusive, of this act become effective upon passage and approval.

2. Section 5 of this act becomes effective on January 1, 2022.

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NEVADA LEGISLATURE

Eighty-First Session, 2021

ASSEMBLY DAILY JOURNAL

THE SEVENTY-EIGHTH DAY

CARSON CITY (Monday), April 19, 2021

Assembly called to order at 12:22 p.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Dr. Ken Haskins.

Our heavenly Father, You are the "Light of the world" and Your word is "a lamp unto our feet and a light unto our path." You are the source of light, truth, knowledge, and wisdom. Grant these legislators knowledge and understanding, wisdom, and a spirit of cooperation enabling them to perform well today on behalf of all Nevadans; In Jesus' Name, I pray.

AMEN.

Pledge of allegiance to the Flag.

Assemblywoman Benitez-Thompson moved that further reading of the Journal be dispensed with and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce and Labor, to which were referred Assembly Bills Nos. 73, 200, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Commerce and Labor, to which was referred Assembly Bill No. 207, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Commerce and Labor, to which were referred Assembly Bills Nos. 330, 436, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

SANDRA JAUREGUI, *Chair*

Mr. Speaker:

Your Committee on Education, to which were referred Assembly Bills Nos. 56, 224, 418, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

SHANNON BILBRAY-AXELROD, *Chair*

APP 000562

Also, your Committee on Government Affairs, to which were referred Assembly Bills Nos. 55, 133, 184, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Government Affairs, to which was referred Assembly Bill No. 253, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Government Affairs, to which was referred Assembly Bill No. 378, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Government Affairs, to which was referred Assembly Bill No. 410, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

EDGAR FLORES, *Chair*

Mr. Speaker:

Your Committee on Growth and Infrastructure, to which were referred Assembly Bills Nos. 281, 444, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Growth and Infrastructure, to which were referred Assembly Bills Nos. 301, 383, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Growth and Infrastructure, to which were referred Assembly Bills Nos. 349, 379, 413, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Growth and Infrastructure, to which was referred Assembly Bill No. 388, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Growth and Infrastructure, to which was referred Assembly Bill No. 429, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANIELE MONROE-MORENO, *Chair*

Mr. Speaker:

Your Committee on Health and Human Services, to which was rereferred Assembly Bill No. 287, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Health and Human Services, to which was referred Assembly Bill No. 347, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROCHELLE T. NGUYEN, *Chair*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 116, 158, 243, 251, 341, 427, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Judiciary, to which was referred Assembly Bill No. 286, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Judiciary, to which were referred Assembly Bills Nos. 424, 440, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Judiciary, to which was referred Assembly Bill No. 425, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

STEVE YEAGER, *Chair*

3. If the Executive Director of the Department of Taxation prescribes a form for the keeping of the record ~~provided for~~ **required** in this section, the short-term lessor shall use the form.

4. It shall be a misdemeanor for any such short-term lessor to fail to make or possess or to refuse ~~an inspection of~~ **to make available** the record required in this section.

5. The Executive Director of the Department of Taxation shall:

(a) Adopt such regulations as the Executive Director determines are necessary to carry out the provisions of this section; and

(b) Upon the request of the Director of the Department of Motor Vehicles, provide to the Director of the Department of Motor Vehicles a copy of any record described in this section.

Sec. 2. NRS 482.3263 is hereby amended to read as follows:

482.3263 1. A dealer shall keep his or her books and records for all locations at which the dealer does business within a county at his or her principal place of business in that county ~~and~~ **or maintain his or her books and records electronically**. A broker shall keep his or her books and records at his or her principal place of business ~~and~~ **or maintain his or her books and records electronically**.

2. Each dealer and broker shall:

(a) Permit any authorized agent of the Director or the State of Nevada to inspect and copy the books and records **or make such records available electronically** during usual business hours; or

(b) Not later than 3 business days after receiving a request from such a person for the production of the books and records or any other information ~~and~~ **or the electronic copies thereof**, provide the requested books, records and other information **or electronic copies** to the person ~~at the location~~ **specified in the request**.

3. A dealer or broker shall retain the books and records for 3 years after he or she ceases to be licensed as a dealer or broker.

Assemblywoman Monroe-Moreno moved the adoption of the amendment.

Remarks by Assemblywoman Monroe-Moreno.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 286.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 333.

AN ACT relating to crimes; prohibiting a person from possessing a firearm on a covered premises under certain circumstances; prohibiting a person from engaging in certain acts relating to unfinished frames or receivers under certain circumstances; prohibiting a person from engaging in certain acts relating to firearms which are not imprinted with a serial number under certain circumstances; revising provisions relating to the confiscation and disposal of

dangerous weapons; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law makes it a misdemeanor for a person to go upon the land or into any building of another person in certain circumstances, including willfully going or remaining on land or in a building after being warned by the owner or occupant not to trespass. (NRS 207.200) **Section 2** of this bill establishes similar provisions which make it unlawful for a person to possess a firearm on a covered premises without the written consent of the owner or operator of the covered premises or an agent thereof after being warned by the owner, operator or agent that possessing the firearm on the covered premises is prohibited. **Section 2** defines “covered premises” as real property ~~that serves as certain venues, establishments, facilities and any real property extending to the property line~~ owned or operated by a person who holds a nonrestricted gaming license, or any affiliate thereof.

Section 2 provides that, for the purpose of determining whether a person has been given a sufficient warning against the possession of a firearm, the owner or occupant of the covered premises or an agent thereof may ~~[(1) conspicuously]~~ post a sign which meets certain specifications at each public entrance of the covered premises, ~~[which contains specific language relating to the prohibition on firearms; or (2)]~~ Section 2 also provides that, in addition to posting the sign, if the covered premises is a public accommodation facility, the covered premises may provide guests at the time of check-in with documentation containing specific language relating to the prohibition on firearms. Upon the posting of the sign, ~~[or implementation of a policy for the provision of the documentation,]~~ **section 2** requires the owner, operator or agent to inform ~~[a]~~ the respective law enforcement agency of the warning relating to the prohibition on firearms at the covered premises.

Section 2 provides that any person who possesses a firearm in such an unlawful manner: (1) for the first offense, is guilty of a misdemeanor; (2) for the second offense, is guilty of a gross misdemeanor; and (3) for the third or any subsequent offense, is guilty of a category E felony. **Section 9** of this bill adds an exception to the crime of trespass for application of the greater penalties prescribed by **section 2**.

Existing law establishes procedures for the disposal of certain dangerous instruments and weapons taken from the possession of a person charged with the commission of a public offense or crime or a child charged with committing a delinquent act. (NRS 202.340) **Section 8** of this bill requires firearms confiscated from the possession of a person who commits a third or subsequent violation of **section 2** to be disposed of in the manner provided for dangerous instruments and weapons.

Section 3 of this bill prohibits a person from possessing, ~~[selling, offering to sell, transferring,]~~ purchasing, transporting or receiving an unfinished frame or receiver unless: (1) the person is a firearms importer or manufacturer; or (2) the unfinished frame or receiver is required to be, and has been imprinted

with a serial number. **Section 3** provides that a person who commits such an unlawful act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty of a category D felony.

Similarly, section 3.5 of this bill prohibits a person from selling, offering to sell or transferring an unfinished frame or receiver unless the person: (1) is a firearms importer or manufacturer and the recipient of the unfinished frame or receiver is a firearms importer or manufacturer; or (2) the unfinished frame or receiver is required to be, and has been, imprinted with a serial number. Section 3.5 provides that a person who commits such an unlawful act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty of a category D felony.

Section 4 of this bill prohibits a person from manufacturing or causing to be manufactured or assembling or causing to be assembled a firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer in accordance with federal law and any regulations adopted thereunder unless the firearm is: (1) rendered permanently inoperable; (2) an antique; or (3) a collector's item, curio or relic. **Section 4** provides that a person who commits such an unlawful act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty of a category D felony.

Similarly, **section 5** of this bill prohibits a person from possessing, selling, offering to sell, transferring, purchasing, transporting or receiving a firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer in accordance with federal law and any regulations adopted thereunder unless: (1) the person is a law enforcement agency or a firearms importer or manufacturer; or (2) the firearm is rendered permanently inoperable or is an antique, collector's item, curio or relic. **Section 5** provides that a person who commits such an unlawful act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty of a category D felony.

Section 6 of this bill defines the terms "antique firearm," "firearms importer or ~~manufacturer.~~ **manufacturer**" and "**unfinished frame or receiver.**" **Section 7** of this bill makes a conforming change relating to the new definitions.

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

Section 1. Chapter 202 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

Sec. 2. 1. *A person shall not possess a firearm on a covered premises without the written consent of the owner or operator of the covered premises or*

an agent thereof after having been warned by the owner, operator or agent that the person is prohibited from possessing the firearm on the covered premises.

2. A sufficient warning against possessing a firearm on a covered premises, within the meaning of this section, is given by ~~any of the following methods:~~

~~(a) Posting a sign in a conspicuous place posting at each public entrance of the covered premises which contains the following language printed in contrasting colors and in block letters measuring at least 1 inch in height: "Firearms are prohibited on this property unless the person wishing to possess the firearm has obtained the written consent of the owner or operator of this property or an agent thereof."~~

~~(b) If the following sign, which must be not less than 8 1/2 inches in width by 11 inches in height:~~



3. In addition to posting the sign prescribed by subsection 2, if the covered premises is a public accommodation facility, ~~providing~~ the covered premises may provide guests at the time of check-in with a document which contains the language: "Firearms are prohibited on this property unless the person wishing to possess the firearm has obtained the written consent of the owner or operator of this property or an agent thereof."

~~3.4~~ 4. Upon the posting of ~~the~~ the sign ~~described in paragraph (a) of~~ prescribed by subsection 2 ~~for the implementation of a policy for the provision of the documentation described in paragraph (b) of subsection 2,~~ at each public entrance of the covered premises, the owner or operator of the covered premises or the agent thereof shall inform a law enforcement agency with jurisdiction over a violation of subsection 1 that a sufficient warning within the meaning of this section is being provided on the covered premises.

~~4.4~~ 5. A person who violates subsection 1:

- (a) For the first offense, is guilty of a misdemeanor;
- (b) For the second offense, is guilty of a gross misdemeanor; and
- (c) For the third or any subsequent offense, is guilty of a category E felony and shall be punished as provided in NRS 193.130.

~~5.7~~ 6. This section:

(a) Except as otherwise provided in paragraph (b), applies to any person entering a covered premises, including, without limitation, any person who is the holder of a permit to carry a concealed firearm issued pursuant to NRS 202.3653 to 202.369, inclusive.

(b) Does not apply to:

(1) ~~4.1~~ A security guard of a covered premises or an officer of a law enforcement agency who is required to carry a firearm as part of his or her official duties and who is acting in his or her official capacity at the time of possessing the firearm on the covered premises;

(2) A residential unit owner who:

(I) Carries or stores a firearm in his or her unit;

(II) Carries a firearm directly to his or her unit from a location where he or she is authorized to carry or store a firearm under this subparagraph or from his or her unit to a location where he or she is authorized to carry or store a firearm under this subparagraph;

(III) Carries or stores a ~~handgun~~ firearm in his or her vehicle located in a parking area designated for the residential unit owner; or

(IV) Carries a ~~handgun~~ firearm directly to his or her vehicle located in a parking area designated for the residential unit owner from a location where he or she is authorized to carry or store a firearm under this subparagraph or from such a vehicle to a location where he or she is authorized to carry or store a firearm under this subparagraph ~~4.1~~;

(3) A guest of a public accommodation facility who:

(I) Purchases a firearm at a trade show in this State;

(II) Transports the purchased firearm directly from the trade show to the public accommodation facility in accordance with all applicable laws;

(III) Enters the public accommodation facility with the firearm unloaded and contained within a bag; and

(IV) Notifies the public accommodation facility in writing that his or her bag contains an unloaded firearm ~~4~~

~~6.7~~ ; or

(4) If a major purpose of a trade show is the feature of firearms, an employee or operator of the tradeshow who:

(I) Possesses or displays a firearm at the trade show while acting in his or her official capacity as an employee or operator of the trade show; and

(II) Transports an operable or inoperable firearm directly between a parking garage, parking structure or staging area and the trade show.

7. Nothing in this section shall:

(a) Prohibit or restrict a rule, policy or practice of an owner or operator of a covered premises concerning or prohibiting the presence of firearms on the covered premises; or

(b) Require an owner or operator of a covered premises to adopt a rule, policy or practice concerning or prohibiting the presence of firearms on the covered premises.

~~77~~ 8. As used in this section:

~~(a) "Club venue" means a venue, including, without limitation, a pool venue, that:~~

~~(1) Prohibits patrons under 21 years of age from entering the premises;~~

~~(2) Is licensed to serve alcohol;~~

~~(3) Allows dancing; and~~

~~(4) Offers live music, a disc jockey or an emcee.~~

~~(b) "Condominium hotel" has the meaning ascribed to it in NRS 116B.060.~~

~~(c) "Consent" does not include consent that is induced by force, threat or fraud.~~

~~(d) (b) "Covered premises" means:~~

~~(1) Any real property that serves as:~~

~~(I) A club venue;~~

~~(II) A golf course;~~

~~(III) A licensed gaming establishment;~~

~~(IV) A motion picture theater;~~

~~(V) A place of religious worship;~~

~~(VI) A public accommodation facility;~~

~~(VII) A shopping mall; or~~

~~(VIII) A stadium, arena, concert hall, theater, showroom or any other facility used for live entertainment or a sporting event; and~~

~~(2) Any real property extending to the property line of any property described in subparagraph (1), owned or operated by a person who holds a nonrestricted license, as defined in NRS 463.0177, or any affiliate thereof. The term includes, without limitation any tenant of the real property or establishment located within the bounds of the real property.~~

~~(e) (c) "Law enforcement agency" has the meaning ascribed to it in NRS 289.010.~~

~~(f) "Licensed gaming establishment" has the meaning ascribed to it in NRS 463.0169.~~

~~(g) "Public accommodation facility" means a hotel and casino, resort, hotel, condominium hotel, motel, hostel, bed and breakfast facility or other facility offering rooms or areas to the public for monetary compensation or other financial consideration on an hourly, daily or weekly basis.~~

~~(h) (d) "Official capacity" includes, without limitation, the observance of a meal or other authorized break.~~

~~(e) "Public entrance" includes, without limitation, a parking lot or parking structure.~~

(f) “Residential unit owner” has the meaning ascribed to it in NRS 116B.205.

~~† (i) “Shopping mall” includes any area or premises where multiple vendors assemble for the primary purpose of selling goods.†~~

(g) “Trade show” means an event of limited duration primarily attended by members of a particular trade or industry for the purpose of exhibiting their merchandise or services or discussing matters of interest to members of that trade or industry.

Sec. 3. 1. A person shall not possess, ~~sell, offer to sell, transfer,~~ purchase, transport or receive an unfinished frame or receiver unless:

(a) The person is a firearms importer or manufacturer; or

(b) The unfinished frame or receiver is required by federal law to be imprinted with a serial number issued by ~~any~~ a firearms importer or manufacturer and the unfinished frame or receiver has been imprinted with the serial number.

2. A person who violates this section:

(a) For the first offense, is guilty of a gross misdemeanor; and

(b) For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130.

~~† 3. As used in this section, “unfinished frame or receiver” means a blank, a casting or a machined body that is intended to be turned into the frame or lower receiver of a firearm with additional machining and which has been formed or machined to the point at which most of the major machining operations have been completed to turn the blank, casting or machined body into a frame or lower receiver of a firearm even if the fire control cavity area of the blank, casting or machined body is still completely solid and unmachined.†~~

Sec. 3.5. 1. A person shall not sell, offer to sell or transfer an unfinished frame or receiver unless:

(a) The person is:

(1) A firearms importer or manufacturer; and

(2) The recipient of the unfinished frame or receiver is a firearms importer or manufacturer; or

(b) The unfinished frame or receiver is required by federal law to be imprinted with a serial number issued by an importer or manufacturer and the unfinished frame or receiver has been imprinted with the serial number.

2. A person who violates this section:

(a) For the first offense, is guilty of a gross misdemeanor; and

(b) For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130.

Sec. 4. 1. A person shall not manufacture or cause to be manufactured or assemble or cause to be assembled a firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer in accordance with federal law and any regulations adopted thereunder unless the firearm:

- (a) *Has been rendered permanently inoperable;*
 - (b) *Is an antique firearm; or*
 - (c) *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.*
2. *A person who violates this section:*
- (a) *For the first offense, is guilty of a gross misdemeanor; and*
 - (b) *For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130.*
3. *As used in this section:*
- (a) *"Assemble" means to fit together component parts.*
 - (b) *"Manufacture" means to fabricate, make, form, produce or construct by manual labor or machinery.*

Sec. 5. 1. *A person shall not possess, sell, offer to sell, transfer, purchase, transport or receive a firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer in accordance with federal law and any regulations adopted thereunder unless:*

- (a) *The person is:*
 - (1) *A law enforcement agency; or*
 - (2) *A firearms importer or manufacturer; or*
 - (b) *The firearm:*
 - (1) *Has been rendered permanently inoperable;*
 - (2) *Is an antique firearm; or*
 - (3) *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.*
2. *A person who violates this section:*
- (a) *For the first offense, is guilty of a gross misdemeanor; and*
 - (b) *For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130.*
3. *As used in this section, "law enforcement agency" has the meaning ascribed to it in NRS 239C.065.*

Sec. 6. NRS 202.253 is hereby amended to read as follows:

202.253 As used in NRS 202.253 to 202.369, inclusive ~~††~~, *and sections 2 to 5, inclusive, of this act:*

1. *"Antique firearm" has the meaning ascribed to it in 18 U.S.C. § 921(a)(16).*

2. *"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.*

~~††~~ 3. *"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.*

~~††~~ 4. *"Firearm capable of being concealed upon the person" applies to and includes all firearms having a barrel less than 12 inches in length.*

~~4.4~~ 5. “Firearms importer or manufacturer” means a person licensed to import or manufacture firearms pursuant to 18 U.S.C. Chapter 44.

6. “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.

~~4.5~~ 7. “Motor vehicle” means every vehicle that is self-propelled.

~~4.6~~ 8. “Semiautomatic firearm” means any firearm that:

(a) Uses a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next shell or round;

(b) Requires a separate function of the trigger to fire each cartridge; and

(c) Is not a machine gun.

9. “Unfinished frame or receiver” means a blank, a casting or a machined body that is intended to be turned into the frame or lower receiver of a firearm with additional machining and which has been formed or machined to the point at which most of the major machining operations have been completed to turn the blank, casting or machined body into a frame or lower receiver of a firearm even if the fire-control cavity area of the blank, casting or machined body is still completely solid and unmachined.

Sec. 7. NRS 202.2548 is hereby amended to read as follows:

202.2548 The provisions of NRS 202.2547 do not apply to:

1. The sale or transfer of a firearm by or to any law enforcement agency and, to the extent he or she is acting within the course and scope of his or her employment and official duties, any peace officer, security guard entitled to carry a firearm under NAC 648.345, member of the armed forces or federal official.

2. The sale or transfer of an antique firearm . ~~as defined in 18 U.S.C. § 921(a)(16).~~

3. The sale or transfer of a firearm between immediate family members, which for the purposes of this section means spouses and domestic partners and any of the following relations, whether by whole or half blood, adoption, or step-relation: parents, children, siblings, grandparents, grandchildren, aunts, uncles, nieces and nephews.

4. The transfer of a firearm to an executor, administrator, trustee or personal representative of an estate or a trust that occurs by operation of law upon the death of the former owner of the firearm.

5. A temporary transfer of a firearm to a person who is not prohibited from buying or possessing firearms under state or federal law if such transfer:

(a) Is necessary to prevent imminent death or great bodily harm; and

(b) Lasts only as long as immediately necessary to prevent such imminent death or great bodily harm.

6. A temporary transfer of a firearm if:

(a) The transferor has no reason to believe that the transferee is prohibited from buying or possessing firearms under state or federal law;

(b) The transferor has no reason to believe that the transferee will use or intends to use the firearm in the commission of a crime; and

(c) Such transfer occurs and the transferee's possession of the firearm following the transfer is exclusively:

(1) At an established shooting range authorized by the governing body of the jurisdiction in which such range is located;

(2) At a lawful organized competition involving the use of a firearm;

(3) While participating in or practicing for a performance by an organized group that uses firearms as a part of the public performance;

(4) While hunting or trapping if the hunting or trapping is legal in all places where the transferee possesses the firearm and the transferee holds all licenses or permits required for such hunting or trapping; or

(5) While in the presence of the transferor.

Sec. 8. NRS 202.340 is hereby amended to read as follows:

202.340 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 ~~††~~ *or when any firearm is taken from the possession of any person charged with a third or subsequent violation of section 2 of this act*, the instrument , ~~††~~ *weapon or firearm* 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 , ~~††~~ *weapon or firearm* must be surrendered to the sheriff of the county or the sheriff of the metropolitan police department for the county in which the instrument , ~~††~~ *weapon or firearm* 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 , ~~††~~ *weapon or firearm* is surrendered pursuant to subsection 1 to:

(a) Retain the confiscated instrument , ~~††~~ *weapon or firearm* for use by the law enforcement agency headed by the officer;

(b) Sell the confiscated instrument , ~~††~~ *weapon or firearm* to another law enforcement agency;

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

(d) Trade the confiscated instrument , ~~††~~ *weapon or firearm* 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 , ~~for~~ weapon *or firearm* 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 , ~~for~~ weapon *or firearm* is surrendered pursuant to subsection 1 shall:

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

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

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

(c) Retain the confiscated instrument , ~~for~~ weapon *or firearm* 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 , ~~for~~ weapon *or firearm* 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 , ~~for~~ weapon *or firearm* shall submit a full description of the instrument , ~~for~~ weapon *or firearm* to a laboratory which provides forensic services in this State. The director of the laboratory shall determine whether the instrument , ~~for~~ weapon ~~or~~ *firearm*:

(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.

Sec. 9. NRS 207.200 is hereby amended to read as follows:

207.200 1. Unless a greater penalty is provided pursuant to NRS 200.603 ~~†~~ **or section 2 of this act**, 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) Painting with fluorescent orange paint:

(1) Not less than 50 square inches of a structure or natural object or the top 12 inches 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) Fencing the area;

(c) Posting “no trespassing” signs or other notice of like meaning at:

(1) Intervals of such a distance as is necessary to ensure that at least one such sign would be within the direct line of sight of a person standing next to another such sign, but at intervals of not more than 500 feet; and

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

(d) Using the area as cultivated land; or

(e) 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) “Cultivated land” means land that has been cleared of its natural vegetation and is presently planted with a crop.

(b) “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.

(c) “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.

Sec. 10. 1. This section and sections 1 to 4, inclusive, and 6 to 9, inclusive, of this act become effective ~~on October 1, 2021,~~ **upon passage and approval.**

2. Section 5 of this act becomes effective on January 1, 2022.

Assemblyman Yeager moved the adoption of the amendment.

Remarks by Assemblyman Yeager.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 287.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 209.

AN ACT relating to health care; **revising certain terminology relating to pregnancy and birth;** providing for the licensing and regulation of freestanding birthing centers; requiring a freestanding birthing center to perform certain screening, report certain information to the local health officer and make certain information available to the Chief Medical Officer; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires a midwife to perform certain duties relating to the registration of a birth and the care of a person who is pregnant or a newborn infant. (NRS 440.280, 440.340, 440.740, 440.770, 442.008, 442.030-442.110, 442.600-442.680) Sections 1 and 3 of this bill define the term "midwife" for those purposes to include a Certified Professional Midwife, a Certified Nurse-Midwife or any other type of midwife. Sections 1.3-2.9, 4, 5, 6.3, 6.7, 7.2-7.7, 8.5, 9.3, 9.7 and 33.5 of this bill replace the term "mother" with references to a person who is pregnant, a person giving birth, a person who gave birth or a person who has given birth, as appropriate, for purposes relating to vital statistics, maternal and child health and medical facilities and related entities. Section 22 of this bill replaces the term "gender transition" with the term "gender-affirming surgery." Section 23 of this bill replaces a reference to lesbian, gay, bisexual, transgender and questioning persons with a reference to persons with various sexual orientations and gender identities and expressions.

Existing law: (1) defines the term "obstetric center" to mean a facility that is not part of a hospital and provides services for normal, uncomplicated births; and (2) provides for the regulation of an obstetric center as a medical facility. (NRS 449.0155, 449.0302) **Sections 3 and 11** of this bill define the term "freestanding birthing center" to mean a facility that provides maternity care and birthing services in a location similar to a residence. **Section 14** of this bill clarifies that a freestanding birthing center is not subject to the same requirements as an obstetric center. **Section 12** of this bill requires the State Board of Health to adopt regulations providing for the licensure of

ASSEMBLY BILL NO. 286—ASSEMBLYWOMAN JAUREGUI

MARCH 15, 2021

Referred to Committee on Judiciary

SUMMARY—Prohibits certain acts relating to firearms.
(BDR 15-21)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to crimes; prohibiting a person from possessing a firearm on a covered premises under certain circumstances; prohibiting a person from engaging in certain acts relating to unfinished frames or receivers under certain circumstances; prohibiting a person from engaging in certain acts relating to firearms which are not imprinted with a serial number under certain circumstances; revising provisions relating to the confiscation and disposal of dangerous weapons; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law makes it a misdemeanor for a person to go upon the land or into
2 any building of another person in certain circumstances, including willfully going
3 or remaining on land or in a building after being warned by the owner or occupant
4 not to trespass. (NRS 207.200) **Section 2** of this bill establishes similar provisions
5 which make it unlawful for a person to possess a firearm on a covered premises
6 without the written consent of the owner or operator of the covered premises or an
7 agent thereof after being warned by the owner, operator or agent that possessing the
8 firearm on the covered premises is prohibited. **Section 2** defines “covered
9 premises” as real property owned or operated by a person who holds a nonrestricted
10 gaming license, or any affiliate thereof.

11 **Section 2** provides that, for the purpose of determining whether a person has
12 been given a sufficient warning against the possession of a firearm, the owner or
13 occupant of the covered premises or an agent thereof may post a sign which meets
14 certain specifications at each public entrance of the covered premises. **Section 2**
15 also provides that, in addition to posting the sign, if the covered premises is a public



16 accommodation facility, the covered premises may provide guests at the time of
17 check-in with documentation containing specific language relating to the
18 prohibition on firearms. Upon the posting of the sign, **section 2** requires the owner,
19 operator or agent to inform the respective law enforcement agency of the warning
20 relating to the prohibition on firearms at the covered premises.

21 **Section 2** provides that any person who possesses a firearm in such an unlawful
22 manner: (1) for the first offense, is guilty of a misdemeanor; (2) for the second
23 offense, is guilty of a gross misdemeanor; and (3) for the third or any subsequent
24 offense, is guilty of a category E felony. **Section 9** of this bill adds an exception to
25 the crime of trespass for application of the greater penalties prescribed by **section 2**.

26 Existing law establishes procedures for the disposal of certain dangerous
27 instruments and weapons taken from the possession of a person charged with the
28 commission of a public offense or crime or a child charged with committing a
29 delinquent act. (NRS 202.340) **Section 8** of this bill requires firearms confiscated
30 from the possession of a person who commits a third or subsequent violation of
31 **section 2** to be disposed of in the manner provided for dangerous instruments and
32 weapons.

33 **Section 3** of this bill prohibits a person from possessing, purchasing,
34 transporting or receiving an unfinished frame or receiver unless: (1) the person is a
35 firearms importer or manufacturer; or (2) the unfinished frame or receiver is
36 required to be, and has been, imprinted with a serial number. **Section 3** provides
37 that a person who commits such an unlawful act: (1) for the first offense, is guilty
38 of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty
39 of a category D felony.

40 Similarly, **section 3.5** of this bill prohibits a person from selling, offering to sell
41 or transferring an unfinished frame or receiver unless the person: (1) is a firearms
42 importer or manufacturer and the recipient of the unfinished frame or receiver is a
43 firearms importer or manufacturer; or (2) the unfinished frame or receiver is
44 required to be, and has been, imprinted with a serial number. **Section 3.5** provides
45 that a person who commits such an unlawful act: (1) for the first offense, is guilty
46 of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty
47 of a category D felony.

48 **Section 4** of this bill prohibits a person from manufacturing or causing to be
49 manufactured or assembling or causing to be assembled a firearm that is not
50 imprinted with a serial number issued by a firearms importer or manufacturer in
51 accordance with federal law and any regulations adopted thereunder unless the
52 firearm is: (1) rendered permanently inoperable; (2) an antique; or (3) a collector's
53 item, curio or relic. **Section 4** provides that a person who commits such an unlawful
54 act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second
55 or any subsequent offense, is guilty of a category D felony.

56 Similarly, **section 5** of this bill prohibits a person from possessing, selling,
57 offering to sell, transferring, purchasing, transporting or receiving a firearm that is
58 not imprinted with a serial number issued by a firearms importer or manufacturer in
59 accordance with federal law and any regulations adopted thereunder unless: (1) the
60 person is a law enforcement agency or a firearms importer or manufacturer; or (2)
61 the firearm is rendered permanently inoperable or is an antique, collector's item,
62 curio or relic. **Section 5** provides that a person who commits such an unlawful act:
63 (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or
64 any subsequent offense, is guilty of a category D felony.

65 **Section 6** of this bill defines the terms "antique firearm," "firearms importer or
66 manufacturer" and "unfinished frame or receiver." **Section 7** of this bill makes a
67 conforming change relating to the new definitions.



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

1 **Section 1.** Chapter 202 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 5, inclusive, of this
3 act.

4 **Sec. 2. 1.** *A person shall not possess a firearm on a covered*
5 *premises without the written consent of the owner or operator of*
6 *the covered premises or an agent thereof after having been warned*
7 *by the owner, operator or agent that the person is prohibited from*
8 *possessing the firearm on the covered premises.*

9 **2.** *A sufficient warning against possessing a firearm on a*
10 *covered premises, within the meaning of this section, is given by*
11 *posting at each public entrance of the covered premises the*
12 *following sign, which must be not less than 8 1/2 inches in width*
13 *by 11 inches in height:*



32 **3.** *In addition to posting the sign prescribed by subsection 2,*
33 *if the covered premises is a public accommodation facility, the*
34 *covered premises may provide guests at the time of check-in with a*
35 *document which contains the language: "Firearms are prohibited*
36 *on this property unless the person wishing to possess the firearm*
37 *has obtained the written consent of the owner or operator of this*
38 *property or an agent thereof."*

39 **4.** *Upon the posting of the sign prescribed by subsection 2 at*
40 *each public entrance of the covered premises, the owner or*
41 *operator of the covered premises or the agent thereof shall inform*
42 *a law enforcement agency with jurisdiction over a violation of*



1 subsection 1 that a sufficient warning within the meaning of this
2 section is being provided on the covered premises.

3 5. A person who violates subsection 1:

4 (a) For the first offense, is guilty of a misdemeanor;

5 (b) For the second offense, is guilty of a gross misdemeanor;
6 and

7 (c) For the third or any subsequent offense, is guilty of a
8 category E felony and shall be punished as provided in
9 NRS 193.130.

10 6. This section:

11 (a) Except as otherwise provided in paragraph (b), applies to
12 any person entering a covered premises, including, without
13 limitation, any person who is the holder of a permit to carry a
14 concealed firearm issued pursuant to NRS 202.3653 to 202.369,
15 inclusive.

16 (b) Does not apply to:

17 (1) A security guard of a covered premises or an officer of a
18 law enforcement agency who is required to carry a firearm as part
19 of his or her official duties and who is acting in his or her official
20 capacity at the time of possessing the firearm on the covered
21 premises;

22 (2) A residential unit owner who:

23 (I) Carries or stores a firearm in his or her unit;

24 (II) Carries a firearm directly to his or her unit from a
25 location where he or she is authorized to carry or store a firearm
26 under this subparagraph or from his or her unit to a location
27 where he or she is authorized to carry or store a firearm under this
28 subparagraph;

29 (III) Carries or stores a firearm in his or her vehicle
30 located in a parking area designated for the residential unit
31 owner; or

32 (IV) Carries a firearm directly to his or her vehicle
33 located in a parking area designated for the residential unit owner
34 from a location where he or she is authorized to carry or store a
35 firearm under this subparagraph or from such a vehicle to a
36 location where he or she is authorized to carry or store a firearm
37 under this subparagraph;

38 (3) A guest of a public accommodation facility who:

39 (I) Purchases a firearm at a trade show in this State;

40 (II) Transports the purchased firearm directly from the
41 trade show to the public accommodation facility in accordance
42 with all applicable laws;

43 (III) Enters the public accommodation facility with the
44 firearm unloaded and contained within a bag; and



1 (IV) Notifies the public accommodation facility in
2 writing that his or her bag contains an unloaded firearm; or

3 (4) If a major purpose of a trade show is the feature of
4 firearms, an employee or operator of the tradeshow who:

5 (I) Possesses or displays a firearm at the trade show
6 while acting in his or her official capacity as an employee or
7 operator of the trade show; and

8 (II) Transports an operable or inoperable firearm
9 directly between a parking garage, parking structure or staging
10 area and the trade show.

11 7. Nothing in this section shall:

12 (a) Prohibit or restrict a rule, policy or practice of an owner or
13 operator of a covered premises concerning or prohibiting the
14 presence of firearms on the covered premises; or

15 (b) Require an owner or operator of a covered premises to
16 adopt a rule, policy or practice concerning or prohibiting the
17 presence of firearms on the covered premises.

18 8. As used in this section:

19 (a) "Consent" does not include consent that is induced by
20 force, threat or fraud.

21 (b) "Covered premises" means any real property owned or
22 operated by a person who holds a nonrestricted license, as defined
23 in NRS 463.0177, or any affiliate thereof. The term includes,
24 without limitation any tenant of the real property or establishment
25 located within the bounds of the real property.

26 (c) "Law enforcement agency" has the meaning ascribed to it
27 in NRS 289.010.

28 (d) "Official capacity" includes, without limitation, the
29 observance of a meal or other authorized break.

30 (e) "Public entrance" includes, without limitation, a parking
31 lot or parking structure.

32 (f) "Residential unit owner" has the meaning ascribed to it in
33 NRS 116B.205.

34 (g) "Trade show" means an event of limited duration primarily
35 attended by members of a particular trade or industry for the
36 purpose of exhibiting their merchandise or services or discussing
37 matters of interest to members of that trade or industry.

38 **Sec. 3. 1. A person shall not possess, purchase, transport or**
39 **receive an unfinished frame or receiver unless:**

40 (a) The person is a firearms importer or manufacturer; or

41 (b) The unfinished frame or receiver is required by federal law
42 to be imprinted with a serial number issued by a firearms importer
43 or manufacturer and the unfinished frame or receiver has been
44 imprinted with the serial number.

45 2. A person who violates this section:



1 (a) For the first offense, is guilty of a gross misdemeanor; and
2 (b) For the second or any subsequent offense, is guilty of a
3 category D felony and shall be punished as provided in
4 NRS 193.130.

5 **Sec. 3.5. 1.** A person shall not sell, offer to sell or transfer
6 an unfinished frame or receiver unless:

7 (a) The person is:

8 (1) A firearms importer or manufacturer; and

9 (2) The recipient of the unfinished frame or receiver is a
10 firearms importer or manufacturer; or

11 (b) The unfinished frame or receiver is required by federal law
12 to be imprinted with a serial number issued by an importer or
13 manufacturer and the unfinished frame or receiver has been
14 imprinted with the serial number.

15 2. A person who violates this section:

16 (a) For the first offense, is guilty of a gross misdemeanor; and

17 (b) For the second or any subsequent offense, is guilty of a
18 category D felony and shall be punished as provided in
19 NRS 193.130.

20 **Sec. 4. 1.** A person shall not manufacture or cause to be
21 manufactured or assemble or cause to be assembled a firearm that
22 is not imprinted with a serial number issued by a firearms
23 importer or manufacturer in accordance with federal law and any
24 regulations adopted thereunder unless the firearm:

25 (a) Has been rendered permanently inoperable;

26 (b) Is an antique firearm; or

27 (c) Has been determined to be a collector's item pursuant to 26
28 U.S.C. Chapter 53 or a curio or relic pursuant to 18 U.S.C.
29 Chapter 44.

30 2. A person who violates this section:

31 (a) For the first offense, is guilty of a gross misdemeanor; and

32 (b) For the second or any subsequent offense, is guilty of a
33 category D felony and shall be punished as provided in
34 NRS 193.130.

35 3. As used in this section:

36 (a) "Assemble" means to fit together component parts.

37 (b) "Manufacture" means to fabricate, make, form, produce or
38 construct by manual labor or machinery.

39 **Sec. 5. 1.** A person shall not possess, sell, offer to sell,
40 transfer, purchase, transport or receive a firearm that is not
41 imprinted with a serial number issued by a firearms importer or
42 manufacturer in accordance with federal law and any regulations
43 adopted thereunder unless:

44 (a) The person is:

45 (1) A law enforcement agency; or



1 (2) *A firearms importer or manufacturer; or*
 2 (b) *The firearm:*
 3 (1) *Has been rendered permanently inoperable;*
 4 (2) *Is an antique firearm; or*
 5 (3) *Has been determined to be a collector's item pursuant*
 6 *to 26 U.S.C. Chapter 53 or a curio or relic pursuant to 18 U.S.C.*
 7 *Chapter 44.*

8 2. *A person who violates this section:*
 9 (a) *For the first offense, is guilty of a gross misdemeanor; and*
 10 (b) *For the second or any subsequent offense, is guilty of a*
 11 *category D felony and shall be punished as provided in*
 12 *NRS 193.130.*

13 3. *As used in this section, "law enforcement agency" has the*
 14 *meaning ascribed to it in NRS 239C.065.*

15 **Sec. 6.** NRS 202.253 is hereby amended to read as follows:
 16 202.253 As used in NRS 202.253 to 202.369, inclusive ~~1~~ ,
 17 *and sections 2 to 5, inclusive, of this act:*

18 1. *"Antique firearm" has the meaning ascribed to it in 18*
 19 *U.S.C. § 921(a)(16).*

20 2. "Explosive or incendiary device" means any explosive or
 21 incendiary material or substance that has been constructed, altered,
 22 packaged or arranged in such a manner that its ordinary use would
 23 cause destruction or injury to life or property.

24 ~~12~~ 3. "Firearm" means any device designed to be used as a
 25 weapon from which a projectile may be expelled through the barrel
 26 by the force of any explosion or other form of combustion.

27 ~~13~~ 4. "Firearm capable of being concealed upon the person"
 28 applies to and includes all firearms having a barrel less than 12
 29 inches in length.

30 ~~14~~ 5. *"Firearms importer or manufacturer" means a person*
 31 *licensed to import or manufacture firearms pursuant to 18 U.S.C.*
 32 *Chapter 44.*

33 6. "Machine gun" means any weapon which shoots, is
 34 designed to shoot or can be readily restored to shoot more than one
 35 shot, without manual reloading, by a single function of the trigger.

36 ~~15~~ 7. "Motor vehicle" means every vehicle that is self-
 37 propelled.

38 ~~16~~ 8. "Semiautomatic firearm" means any firearm that:
 39 (a) Uses a portion of the energy of a firing cartridge to extract
 40 the fired cartridge case and chamber the next shell or round;
 41 (b) Requires a separate function of the trigger to fire each
 42 cartridge; and
 43 (c) Is not a machine gun.

44 9. *"Unfinished frame or receiver" means a blank, a casting*
 45 *or a machined body that is intended to be turned into the frame or*



1 *lower receiver of a firearm with additional machining and which*
2 *has been formed or machined to the point at which most of the*
3 *major machining operations have been completed to turn the*
4 *blank, casting or machined body into a frame or lower receiver of*
5 *a firearm even if the fire-control cavity area of the blank, casting*
6 *or machined body is still completely solid and unmachined.*

7 **Sec. 7.** NRS 202.2548 is hereby amended to read as follows:

8 202.2548 The provisions of NRS 202.2547 do not apply to:

9 1. The sale or transfer of a firearm by or to any law
10 enforcement agency and, to the extent he or she is acting within the
11 course and scope of his or her employment and official duties, any
12 peace officer, security guard entitled to carry a firearm under NAC
13 648.345, member of the armed forces or federal official.

14 2. The sale or transfer of an antique firearm . ~~as defined in 18~~
15 ~~U.S.C. § 921(a)(16).~~

16 3. The sale or transfer of a firearm between immediate family
17 members, which for the purposes of this section means spouses and
18 domestic partners and any of the following relations, whether by
19 whole or half blood, adoption, or step-relation: parents, children,
20 siblings, grandparents, grandchildren, aunts, uncles, nieces and
21 nephews.

22 4. The transfer of a firearm to an executor, administrator,
23 trustee or personal representative of an estate or a trust that occurs
24 by operation of law upon the death of the former owner of the
25 firearm.

26 5. A temporary transfer of a firearm to a person who is not
27 prohibited from buying or possessing firearms under state or federal
28 law if such transfer:

29 (a) Is necessary to prevent imminent death or great bodily harm;
30 and

31 (b) Lasts only as long as immediately necessary to prevent such
32 imminent death or great bodily harm.

33 6. A temporary transfer of a firearm if:

34 (a) The transferor has no reason to believe that the transferee is
35 prohibited from buying or possessing firearms under state or federal
36 law;

37 (b) The transferor has no reason to believe that the transferee
38 will use or intends to use the firearm in the commission of a crime;
39 and

40 (c) Such transfer occurs and the transferee's possession of the
41 firearm following the transfer is exclusively:

42 (1) At an established shooting range authorized by the
43 governing body of the jurisdiction in which such range is located;

44 (2) At a lawful organized competition involving the use of a
45 firearm;



1 (3) While participating in or practicing for a performance by
2 an organized group that uses firearms as a part of the public
3 performance;

4 (4) While hunting or trapping if the hunting or trapping is
5 legal in all places where the transferee possesses the firearm and the
6 transferee holds all licenses or permits required for such hunting or
7 trapping; or

8 (5) While in the presence of the transferor.

9 **Sec. 8.** NRS 202.340 is hereby amended to read as follows:

10 202.340 1. Except as otherwise provided for firearms
11 forfeitable pursuant to NRS 453.301, when any instrument or
12 weapon described in NRS 202.350 is taken from the possession of
13 any person charged with the commission of any public offense or
14 crime or any child charged with committing a delinquent act ~~(1)~~ *or*
15 *when any firearm is taken from the possession of any person*
16 *charged with a third or subsequent violation of section 2 of this*
17 *act*, the instrument, ~~(1)~~ *weapon or firearm* must be surrendered to:

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

21 (b) The chief administrator of a state law enforcement agency,
22 for disposal pursuant to NRS 333.220, if the possession thereof was
23 detected by any member of the agency.

24 ➤ In all other cases, the instrument, ~~(1)~~ *weapon or firearm* must
25 be surrendered to the sheriff of the county or the sheriff of the
26 metropolitan police department for the county in which the
27 instrument, ~~(1)~~ *weapon or firearm* was taken.

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

33 (a) Retain the confiscated instrument, ~~(1)~~ *weapon or firearm*
34 for use by the law enforcement agency headed by the officer;

35 (b) Sell the confiscated instrument, ~~(1)~~ *weapon or firearm* to
36 another law enforcement agency;

37 (c) Destroy or direct the destruction of the confiscated
38 instrument, ~~(1)~~ *weapon or firearm* if it is not otherwise required to
39 be destroyed pursuant to subsection 5;

40 (d) Trade the confiscated instrument, ~~(1)~~ *weapon or firearm* to
41 a properly licensed retailer or wholesaler in exchange for equipment
42 necessary for the performance of the agency's duties; or

43 (e) Donate the confiscated instrument, ~~(1)~~ *weapon or firearm*
44 to a museum, the Nevada National Guard or, if appropriate, to
45 another person for use which furthers a charitable or public interest.



1 3. All proceeds of a sale ordered pursuant to subsection 2 by:
2 (a) The governing body of a county or city must be deposited
3 with the county treasurer or the city treasurer and the county
4 treasurer or the city treasurer shall credit the proceeds to the general
5 fund of the county or city.

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

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

10 5. Except as otherwise provided in subsection 6, the officer to
11 whom a confiscated instrument , ~~for~~ weapon *or firearm* is
12 surrendered pursuant to subsection 1 shall:

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

16 (b) Except as otherwise provided in paragraph (c), return any
17 instrument , ~~for~~ weapon ~~for~~ *or firearm* which has not been
18 destroyed pursuant to paragraph (a):

19 (1) Upon demand, to the person from whom the instrument ,
20 ~~for~~ weapon *or firearm* was confiscated if the person is acquitted of
21 the public offense or crime of which the person was charged; or

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

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

35 (d) Return any instrument , ~~for~~ weapon *or firearm* which was
36 stolen to its rightful owner, unless the return is otherwise prohibited
37 by law.

38 6. Before any disposition pursuant to subsection 5, the officer
39 who is in possession of the confiscated instrument , ~~for~~ weapon *or*
40 *firearm* shall submit a full description of the instrument , ~~for~~
41 weapon *or firearm* to a laboratory which provides forensic services
42 in this State. The director of the laboratory shall determine whether
43 the instrument , ~~for~~ weapon ~~for~~ *or firearm*:

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



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

Sec. 9. NRS 207.200 is hereby amended to read as follows:

207.200 1. Unless a greater penalty is provided pursuant to NRS 200.603 ~~†~~ *or section 2 of this act*, 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) Painting with fluorescent orange paint:

(1) Not less than 50 square inches of a structure or natural object or the top 12 inches 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) Fencing the area;

(c) Posting "no trespassing" signs or other notice of like meaning at:

(1) Intervals of such a distance as is necessary to ensure that at least one such sign would be within the direct line of sight of a person standing next to another such sign, but at intervals of not more than 500 feet; and

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

(d) Using the area as cultivated land; or

(e) 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.



1 4. An entryman on land under the laws of the United States is
2 an owner within the meaning of this section.

3 5. As used in this section:

4 (a) "Cultivated land" means land that has been cleared of its
5 natural vegetation and is presently planted with a crop.

6 (b) "Fence" means a barrier sufficient to indicate an intent to
7 restrict the area to human ingress, including, but not limited to, a
8 wall, hedge or chain link or wire mesh fence. The term does not
9 include a barrier made of barbed wire.

10 (c) "Guest" means any person entertained or to whom
11 hospitality is extended, including, but not limited to, any person
12 who stays overnight. The term does not include a tenant as defined
13 in NRS 118A.170.

14 **Sec. 10.** 1. This section and sections 1 to 4, inclusive, and 6
15 to 9, inclusive, of this act become effective upon passage and
16 approval.

17 2. Section 5 of this act becomes effective on January 1, 2022.



NEVADA LEGISLATURE

Eighty-First Session, 2021

ASSEMBLY DAILY JOURNAL

THE SEVENTY-NINTH DAY

CARSON CITY (Tuesday), April 20, 2021

Assembly called to order at 1:20 p.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Dr. Ken Haskins.

O God, our God, how majestic is Your Name in all of the earth. We feed upon Your words and marvel at Your works. May the words of our mouths and the works of our hands be pleasing in Your sight and may they promote the best interests of all Nevadans. May we bring honor and glory to Your Name, Jesus.

AMEN.

Pledge of allegiance to the Flag.

Assemblywoman Benitez-Thompson moved that further reading of the Journal be dispensed with and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 19, 2021

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 12, 26, 41, 53; Senate Bill No. 177.

SHERRY RODRIGUEZ

Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, April 19, 2021

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 2, 6, 8, 59, 75, 122, 127, 146, 151, 160, 166, 168, 186, 188, 190, 209, 215, 251, 290, 293, 309, 317, 327, 363, 383, 396, 406.

ANNETTE BIAMONTE

Assembly Daily Journal

— 2 —

MOTIONS, RESOLUTIONS AND NOTICES

NOTICE OF EXEMPTION

April 19, 2021

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Assembly Bill No. 56.

Also, the Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Assembly Bill No. 427.

SARAH COFFMAN
Fiscal Analysis Division

Assembly Joint Resolution No. 4.

Resolution read.

Remarks by Assemblyman Watts.

ASSEMBLYMAN WATTS:

Assembly Joint Resolution 4 urges the United States Congress and the President of the United States to take action to protect Bahsahwahbee, also known as the Sacred Water Valley, in White Pine County, home to the trees known as swamp cedars.

Roll call on Assembly Joint Resolution No. 4:

YEAS—29.

NAYS—Black, Dickman, Ellison, Hafen, Hansen, Hardy, Kasama, Leavitt, Matthews, McArthur, O'Neill, Titus, Wheeler—13.

Assembly Joint Resolution No. 4 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Resolution ordered transmitted to the Senate.

Assemblywoman Benitez-Thompson moved that Assembly rescind the action whereby Assembly Bill No. 383 was rereferred to the Committee on Ways and Means.

Motion carried.

Assemblywoman Benitez-Thompson moved that Assembly Bills Nos. 45, 116, 158, 243, 278, 322, 326, 341, 367, 382, 383, 384, 387, 388, and 399 be taken from their positions on the General File and placed at the top of the General File.

Motion carried.

Assemblywoman Benitez-Thompson moved that Assembly Bill No. 59 be taken from the Chief Clerk's desk and placed at the top of the General File.

Motion carried.

Assemblywoman Benitez-Thompson moved that Assembly Bills Nos. 102, 139, 225, 231, 313, 316, and 286 be taken from their positions on the General File and placed at the bottom of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 59.

Bill read third time.

APP 000590

Assembly Daily Journal

— 479 —

ASSEMBLYMAN MATTHEWS:

Assembly Bill 397 revises provisions related to the payment and use of marriage license fees and fees charged for filing and recording or issuing certain bonds, declarations, and certificates. In addition to other provisions, the bill revises the permitted uses of these proceeds by providing that the fees may be used in the office of the county clerk to one, acquire, improve, support, or maintain technology; two, train employees in the operation of the technology; and three, acquire temporary or permanent staff or professional services to implement, support, or maintain technology that enhances customer service, improves efficiency, or promotes transparency in government.

Roll call on Assembly Bill No. 397:

YEAS—36.

NAYS—Black, Ellison, Hafen, McArthur, Titus, Wheeler—6.

Assembly Bill No. 397 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Mr. Speaker announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 3:20 p.m.

ASSEMBLY IN SESSION

At 5:34 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that Assembly Bills Nos. 367 and 286 be taken from their positions on the General File and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 367.

Bill read third time.

The following amendment was proposed by the Committee on Education:
Amendment No. 203.

AN ACT relating to education; ~~adding disciplinary studies to the list of core academic subjects that are required to be taught in all public schools;~~ eliminating the requirement that a combined course of American government and economics use an advanced placement curriculum for the American government credit; **requiring elementary and secondary educational institutions to provide pupils with instruction in disciplinary skills as part of the required instruction in American government;** and providing other matters properly relating thereto.

(e) Disciplinary skills.

2. Except as otherwise provided in NRS 388C.120, the instruction required in subsection 1 must be given during at least 1 year of the elementary school grades and for a period of at least 1 year in all high schools.

Sec. 2. 1. This section becomes effective upon passage and approval.

2. ~~Section~~ **Sections 1 and 1.5** of this act ~~becomes~~ **become** effective:

(a) Upon passage and approval for the purpose of adopting regulations and performing any preliminary administrative tasks that are necessary to carry out the provisions of this act; and

(b) On January 1, 2022, for all other purposes.

Assemblywoman Bilbray-Axelrod moved the adoption of the amendment.

Remarks by Assemblywoman Bilbray-Axelrod.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 286.

Bill read third time.

The following amendment was proposed by Assemblywoman Jauregui:

Amendment No. 481.

AN ACT relating to crimes; ~~prohibiting a person from possessing a firearm on a covered premises under certain circumstances;~~ prohibiting a person from engaging in certain acts relating to unfinished frames or receivers under certain circumstances; prohibiting a person from engaging in certain acts relating to firearms which are not imprinted with a serial number under certain circumstances; ~~revising provisions relating to the confiscation and disposal of dangerous weapons;~~ providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~Existing law makes it a misdemeanor for a person to go upon the land or into any building of another person in certain circumstances, including willfully going or remaining on land or in a building after being warned by the owner or occupant not to trespass. (NRS 207.200) Section 2 of this bill establishes similar provisions which make it unlawful for a person to possess a firearm on a covered premises without the written consent of the owner or operator of the covered premises or an agent thereof after being warned by the owner, operator or agent that possessing the firearm on the covered premises is prohibited. Section 2 defines "covered premises" as real property owned or operated by a person who holds a nonrestricted gaming license, or any affiliate thereof.~~

~~Section 2 provides that, for the purpose of determining whether a person has been given a sufficient warning against the possession of a firearm, the owner or occupant of the covered premises or an agent thereof may post a sign which meets certain specifications at each public entrance of the covered premises. Section 2 also provides that, in addition to posting the sign, if the covered premises is a public accommodation facility, the covered premises may~~

~~provide guests at the time of check in with documentation containing specific language relating to the prohibition on firearms. Upon the posting of the sign, section 2 requires the owner, operator or agent to inform the respective law enforcement agency of the warning relating to the prohibition on firearms at the covered premises.~~

~~— Section 2 provides that any person who possesses a firearm in such an unlawful manner: (1) for the first offense, is guilty of a misdemeanor; (2) for the second offense, is guilty of a gross misdemeanor; and (3) for the third or any subsequent offense, is guilty of a category E felony. Section 9 of this bill adds an exception to the crime of trespass for application of the greater penalties prescribed by section 2.~~

~~— Existing law establishes procedures for the disposal of certain dangerous instruments and weapons taken from the possession of a person charged with the commission of a public offense or crime or a child charged with committing a delinquent act. (NRS 202.340) Section 8 of this bill requires firearms confiscated from the possession of a person who commits a third or subsequent violation of section 2 to be disposed of in the manner provided for dangerous instruments and weapons.~~

Existing law establishes various unlawful acts relating to firearms. (Chapter 202 of NRS) Sections 3-5 of this bill create additional unlawful acts relating to firearms.

Section 3 of this bill prohibits a person from possessing, purchasing, transporting or receiving an unfinished frame or receiver unless: (1) the person is a firearms importer or manufacturer; or (2) the unfinished frame or receiver is required to be, and has been, imprinted with a serial number. **Section 3** provides that a person who commits such an unlawful act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty of a category D felony.

Similarly, **section 3.5** of this bill prohibits a person from selling, offering to sell or transferring an unfinished frame or receiver unless: (1) the person is a firearms importer or manufacturer and the recipient of the unfinished frame or receiver is a firearms importer or manufacturer; or (2) the unfinished frame or receiver is required to be, and has been, imprinted with a serial number. **Section 3.5** provides that a person who commits such an unlawful act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty of a category D felony.

Section 4 of this bill prohibits a person from manufacturing or causing to be manufactured or assembling or causing to be assembled a firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer in accordance with federal law and any regulations adopted thereunder unless the firearm is: (1) rendered permanently inoperable; (2) an antique; or (3) a collector's item, curio or relic. **Section 4** provides that a person who commits such an unlawful act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty of a category D felony.

Similarly, **section 5** of this bill prohibits a person from possessing, selling, offering to sell, transferring, purchasing, transporting or receiving a firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer in accordance with federal law and any regulations adopted thereunder unless: (1) the person is a law enforcement agency or a firearms importer or manufacturer; or (2) the firearm is rendered permanently inoperable or is an antique, collector's item, curio or relic. **Section 5** provides that a person who commits such an unlawful act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty of a category D felony.

Section 6 of this bill defines the terms "antique firearm," "firearms importer or manufacturer" and "unfinished frame or receiver." **Section 7** of this bill makes a conforming change relating to the new definitions.

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

Section 1. Chapter 202 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

~~Sec. 2. **1.** A person shall not possess a firearm on a covered premises without the written consent of the owner or operator of the covered premises or an agent thereof after having been warned by the owner, operator or agent that the person is prohibited from possessing the firearm on the covered premises.~~

~~**2.** A sufficient warning against possessing a firearm on a covered premises, within the meaning of this section, is given by posting at each public entrance of the covered premises the following sign, which must be not less than 8 1/2 inches in width by 11 inches in height:~~



~~3. In addition to posting the sign prescribed by subsection 2, if the covered premises is a public accommodation facility, the covered premises may provide guests at the time of check in with a document which contains the language: "Firearms are prohibited on this property unless the person wishing to possess the firearm has obtained the written consent of the owner or operator of this property or an agent thereof."~~

~~4. Upon the posting of the sign prescribed by subsection 2 at each public entrance of the covered premises, the owner or operator of the covered premises or the agent thereof shall inform a law enforcement agency with jurisdiction over a violation of subsection 1 that a sufficient warning within the meaning of this section is being provided on the covered premises.~~

~~5. A person who violates subsection 1:~~

~~(a) For the first offense, is guilty of a misdemeanor;~~

~~(b) For the second offense, is guilty of a gross misdemeanor; and~~

~~(c) For the third or any subsequent offense, is guilty of a category E felony and shall be punished as provided in NRS 193.130.~~

~~6. This section:~~

~~(a) Except as otherwise provided in paragraph (b), applies to any person entering a covered premises, including, without limitation, any person who is the holder of a permit to carry a concealed firearm issued pursuant to NRS 202.3653 to 202.369, inclusive.~~

~~(b) Does not apply to:~~

~~(1) A security guard of a covered premises or an officer of a law enforcement agency who is required to carry a firearm as part of his or her official duties and who is acting in his or her official capacity at the time of possessing the firearm on the covered premises;~~

~~(2) A residential unit owner who:~~

~~(I) Carries or stores a firearm in his or her unit;~~

~~(II) Carries a firearm directly to his or her unit from a location where he or she is authorized to carry or store a firearm under this subparagraph or from his or her unit to a location where he or she is authorized to carry or store a firearm under this subparagraph;~~

~~(III) Carries or stores a firearm in his or her vehicle located in a parking area designated for the residential unit owner; or~~

~~(IV) Carries a firearm directly to his or her vehicle located in a parking area designated for the residential unit owner from a location where he or she is authorized to carry or store a firearm under this subparagraph or from such a vehicle to a location where he or she is authorized to carry or store a firearm under this subparagraph;~~

~~(3) A guest of a public accommodation facility who:~~

~~(I) Purchases a firearm at a trade show in this State;~~

~~(II) Transports the purchased firearm directly from the trade show to the public accommodation facility in accordance with all applicable laws;~~

~~(III) Enters the public accommodation facility with the firearm unloaded and contained within a bag; and~~

~~(IV) Notifies the public accommodation facility in writing that his or her bag contains an unloaded firearm; or~~

~~(4) If a major purpose of a trade show is the feature of firearms, an employee or operator of the tradeshow who:~~

~~(I) Possesses or displays a firearm at the trade show while acting in his or her official capacity as an employee or operator of the trade show; and~~

~~(II) Transports an operable or inoperable firearm directly between a parking garage, parking structure or staging area and the trade show.~~

~~7. Nothing in this section shall:~~

~~(a) Prohibit or restrict a rule, policy or practice of an owner or operator of a covered premises concerning or prohibiting the presence of firearms on the covered premises; or~~

~~(b) Require an owner or operator of a covered premises to adopt a rule, policy or practice concerning or prohibiting the presence of firearms on the covered premises.~~

~~8. As used in this section:~~

~~(a) "Consent" does not include consent that is induced by force, threat or fraud.~~

~~(b) "Covered premises" means any real property owned or operated by a person who holds a nonrestricted license, as defined in NRS 463.0177, or any affiliate thereof. The term includes, without limitation any tenant of the real property or establishment located within the bounds of the real property.~~

~~(c) "Law enforcement agency" has the meaning ascribed to it in NRS 289.010.~~

~~(d) "Official capacity" includes, without limitation, the observance of a meal or other authorized break.~~

~~(e) "Public entrance" includes, without limitation, a parking lot or parking structure.~~

~~(f) "Residential unit owner" has the meaning ascribed to it in NRS 116B.205.~~

~~(g) "Trade show" means an event of limited duration primarily attended by members of a particular trade or industry for the purpose of exhibiting their merchandise or services or discussing matters of interest to members of that trade or industry.] (Deleted by amendment.)~~

Sec. 3. 1. A person shall not possess, purchase, transport or receive an unfinished frame or receiver unless:

(a) The person is a firearms importer or manufacturer; or

(b) The unfinished frame or receiver is required by federal law to be imprinted with a serial number issued by a firearms importer or manufacturer and the unfinished frame or receiver has been imprinted with the serial number.

2. A person who violates this section:

(a) For the first offense, is guilty of a gross misdemeanor; and

(b) For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130.

Sec. 3.5. 1. *A person shall not sell, offer to sell or transfer an unfinished frame or receiver unless:*

(a) *The person is:*

(1) *A firearms importer or manufacturer; and*

(2) *The recipient of the unfinished frame or receiver is a firearms importer or manufacturer; or*

(b) *The unfinished frame or receiver is required by federal law to be imprinted with a serial number issued by an importer or manufacturer and the unfinished frame or receiver has been imprinted with the serial number.*

2. *A person who violates this section:*

(a) *For the first offense, is guilty of a gross misdemeanor; and*

(b) *For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130.*

Sec. 4. 1. *A person shall not manufacture or cause to be manufactured or assemble or cause to be assembled a firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer in accordance with federal law and any regulations adopted thereunder unless the firearm:*

(a) *Has been rendered permanently inoperable;*

(b) *Is an antique firearm; or*

(c) *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.*

2. *A person who violates this section:*

(a) *For the first offense, is guilty of a gross misdemeanor; and*

(b) *For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130.*

3. *As used in this section:*

(a) *"Assemble" means to fit together component parts.*

(b) *"Manufacture" means to fabricate, make, form, produce or construct by manual labor or machinery.*

Sec. 5. 1. *A person shall not possess, sell, offer to sell, transfer, purchase, transport or receive a firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer in accordance with federal law and any regulations adopted thereunder unless:*

(a) *The person is:*

(1) *A law enforcement agency; or*

(2) *A firearms importer or manufacturer; or*

(b) *The firearm:*

(1) *Has been rendered permanently inoperable;*

(2) *Is an antique firearm; or*

(3) *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.*

2. *A person who violates this section:*

(a) *For the first offense, is guilty of a gross misdemeanor; and*

(b) For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130.

3. *As used in this section, “law enforcement agency” has the meaning ascribed to it in NRS 239C.065.*

Sec. 6. NRS 202.253 is hereby amended to read as follows:

202.253 As used in NRS 202.253 to 202.369, inclusive ~~††~~, *and sections 2 to 5, inclusive, of this act:*

1. *“Antique firearm” has the meaning ascribed to it in 18 U.S.C. § 921(a)(16).*

2. *“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.*

~~††~~ 3. *“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.*

~~††~~ 4. *“Firearm capable of being concealed upon the person” applies to and includes all firearms having a barrel less than 12 inches in length.*

~~††~~ 5. *“Firearms importer or manufacturer” means a person licensed to import or manufacture firearms pursuant to 18 U.S.C. Chapter 44.*

6. *“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.*

~~††~~ 7. *“Motor vehicle” means every vehicle that is self-propelled.*

~~††~~ 8. *“Semiautomatic firearm” means any firearm that:*

- (a) Uses a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next shell or round;
- (b) Requires a separate function of the trigger to fire each cartridge; and
- (c) Is not a machine gun.

9. *“Unfinished frame or receiver” means a blank, a casting or a machined body that is intended to be turned into the frame or lower receiver of a firearm with additional machining and which has been formed or machined to the point at which most of the major machining operations have been completed to turn the blank, casting or machined body into a frame or lower receiver of a firearm even if the fire-control cavity area of the blank, casting or machined body is still completely solid and unmachined.*

Sec. 7. NRS 202.2548 is hereby amended to read as follows:

202.2548 The provisions of NRS 202.2547 do not apply to:

1. The sale or transfer of a firearm by or to any law enforcement agency and, to the extent he or she is acting within the course and scope of his or her employment and official duties, any peace officer, security guard entitled to carry a firearm under NAC 648.345, member of the armed forces or federal official.

2. The sale or transfer of an antique firearm. ~~†, as defined in 18 U.S.C. § 921(a)(16).†~~

3. The sale or transfer of a firearm between immediate family members, which for the purposes of this section means spouses and domestic partners and any of the following relations, whether by whole or half blood, adoption, or step-relation: parents, children, siblings, grandparents, grandchildren, aunts, uncles, nieces and nephews.

4. The transfer of a firearm to an executor, administrator, trustee or personal representative of an estate or a trust that occurs by operation of law upon the death of the former owner of the firearm.

5. A temporary transfer of a firearm to a person who is not prohibited from buying or possessing firearms under state or federal law if such transfer:

(a) Is necessary to prevent imminent death or great bodily harm; and

(b) Lasts only as long as immediately necessary to prevent such imminent death or great bodily harm.

6. A temporary transfer of a firearm if:

(a) The transferor has no reason to believe that the transferee is prohibited from buying or possessing firearms under state or federal law;

(b) The transferor has no reason to believe that the transferee will use or intends to use the firearm in the commission of a crime; and

(c) Such transfer occurs and the transferee's possession of the firearm following the transfer is exclusively:

(1) At an established shooting range authorized by the governing body of the jurisdiction in which such range is located;

(2) At a lawful organized competition involving the use of a firearm;

(3) While participating in or practicing for a performance by an organized group that uses firearms as a part of the public performance;

(4) While hunting or trapping if the hunting or trapping is legal in all places where the transferee possesses the firearm and the transferee holds all licenses or permits required for such hunting or trapping; or

(5) While in the presence of the transferor.

Sec. 8. ~~NRS 202.340 is hereby amended to read as follows:~~

~~202.340 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 [,] or when any firearm is taken from the possession of any person charged with a third or subsequent violation of section 2 of this act, the instrument , [or] weapon or firearm 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 *or* firearm 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 *or* firearm 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 *or* firearm is surrendered pursuant to subsection 1 to:~~

~~(a) Retain the confiscated instrument, [or] weapon *or* firearm for use by the law enforcement agency headed by the officer;~~

~~(b) Sell the confiscated instrument, [or] weapon *or* firearm to another law enforcement agency;~~

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

~~(d) Trade the confiscated instrument, [or] weapon *or* firearm 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 *or* firearm 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 *or* firearm 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 *or* firearm 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 [] *or* firearm which has not been destroyed pursuant to paragraph (a):~~

~~(1) Upon demand, to the person from whom the instrument, [or] weapon *or* firearm 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 *or* firearm if the Attorney General or the district attorney determines that the instrument, [or] weapon *or* firearm was unlawfully acquired from the legal owner. If retention of the instrument, [or] weapon *or* firearm is ordered or directed pursuant to~~

paragraph (c), except as otherwise provided in paragraph (a), the instrument, [or] weapon ~~or firearm~~ 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 *or firearm* 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 *or firearm* 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 *or firearm* shall submit a full description of the instrument, [or] weapon *or firearm* to a laboratory which provides forensic services in this State. The director of the laboratory shall determine whether the instrument, [or] weapon [.] *or firearm*:~~

~~—(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.] (Deleted by amendment.)~~

Sec. 9. ~~[NRS 207.200 is hereby amended to read as follows:~~

~~—207.200 1. Unless a greater penalty is provided pursuant to NRS 200.603 [.] *or section 2 of this act*, 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) Painting with fluorescent orange paint:~~

~~—(1) Not less than 50 square inches of a structure or natural object or the top 12 inches 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) Fencing the area;~~

~~—(c) Posting “no trespassing” signs or other notice of like meaning at:~~

~~(1) Intervals of such a distance as is necessary to ensure that at least one such sign would be within the direct line of sight of a person standing next to another such sign, but at intervals of not more than 500 feet; and~~

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

~~(d) Using the area as cultivated land; or~~

~~(e) 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) "Cultivated land" means land that has been cleared of its natural vegetation and is presently planted with a crop.~~

~~(b) "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.~~

~~(c) "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.~~ **(Deleted by amendment.)**

Sec. 10. 1. This section and sections 1 to 4, inclusive, and 6 to 9, inclusive, of this act become effective upon passage and approval.

2. Section 5 of this act becomes effective on January 1, 2022.

Assemblywoman Jauregui moved the adoption of the amendment.

Remarks by Assemblywoman Jauregui.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Assembly Bill No. 400.

Bill read third time.

Remarks by Assemblyman Yeager.

ASSEMBLYMAN YEAGER:

Assembly Bill 400 removes the per se limits for THC and marijuana metabolite from the driving under-the-influence statutes and it also revises the workers' compensation statutes by retaining the amounts of certain prohibited substances that are in existing law for the purpose of determining whether an employee is under the influence of that substance.

Roll call on Assembly Bill No. 400:

YEAS—26.

NAYS—Black, Dickman, Ellison, Hafen, Hansen, Hardy, Kasama, Krasner, Leavitt, Matthews, McArthur, O'Neill, Roberts, Titus, Tolles, Wheeler—16.

Assembly Bill No. 400 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

status, the person seeking to question the prisoner shall inform the prisoner of the purpose of the questions regarding the immigration status of the prisoner.

Assemblywoman Benitez-Thompson moved the adoption of the amendment.

Remarks by Assemblywoman Benitez-Thompson.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Carlton moved that upon return from the printer, Assembly Bill No. 376 be rereferred to the Committee on Ways and Means.

Motion carried.

Assemblywoman Benitez-Thompson moved that the Assembly dispense with the reprinting of Assembly Bills Nos. 139, 286, and 367.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 251.

Bill read third time.

Remarks by Assemblywoman Krasner.

ASSEMBLYWOMAN KRASNER:

Assembly Bill 251 establishes provisions relating to the expungement and destruction of certain records relating to children. A child 18 years of age or older may petition the juvenile court for an order expunging all records relating to certain offenses that are misdemeanors or less. If the juvenile court enters an order expunging the records, all proceedings recounted in the records are deemed never to have occurred. Also, this bill requires that certain records be automatically sealed within 60 days after the date the child reaches 18 years of age, rather than at 21 years of age.

Roll call on Assembly Bill No. 251:

YEAS—42.

NAYS—None.

Assembly Bill No. 251 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 268.

Bill read third time.

Remarks by Assemblywoman Krasner.

ASSEMBLYWOMAN KRASNER:

Assembly Bill 268 requires each law enforcement agency to adopt and post to an Internet website, if feasible, a written policy regarding the use of force. The written policy must include a requirement that a peace officer use de-escalation techniques, crisis intervention, and other alternatives to force when feasible. A peace officer must use de-escalation techniques for responding to a person with mental illness or experiencing a behavioral health crisis. A law enforcement agency, when feasible, should send a peace officer who has been trained in crisis intervention to respond to an incident involving a person who has made suicidal statements.

Assembly Bill No. 367 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 286.

Bill read third time.

Remarks by Assemblymen Jauregui, Wheeler, and Ellison.

ASSEMBLYWOMAN JAUREGUI:

Assembly Bill 286 places restrictions on the manufacture, possession, purchase, transfer, transportation, or sale of firearms and unfinished frames or receivers that have not been imprinted with a serial number in accordance with federal law. It provides penalties for violating those restrictions.

ASSEMBLYMAN WHEELER:

First I would like to thank the sponsor of the bill for amending the bill this morning and taking out one of the bad parts of this bill. But, Mr. Speaker, the second part of the bill still stops kit guns from circulation and possession, turning law abiding citizens who are current gun owners—that is the people that already own these weapons—into criminals. The reality of this provision is not just to stop new sales of the kit guns and receivers. No, Mr. Speaker, that is not the reality at all. Instead, it makes manufacturing even the mere possession of a kit gun a felony after the second offense, without even a grandfather clause for the thousands of hobbyists who have already built and still have these guns. This tells me, and should tell you, that the true purpose of this bill is to remove a certain class of guns from the possession of law abiding citizens while criminals who flaunt the law anyway will be in possession of these weapons. It tells us all that this is just another assault on the *United States Constitution* and the *Nevada Constitution* which both guarantee our rights to keep and bear arms.

This bill was brought forward by out-of-state interests . . .

MR. SPEAKER:

Assemblyman, I will caution you that we do not denigrate the intents and motives of bills in this House.

ASSEMBLYMAN WHEELER:

I am sorry Mr. Speaker. I meant to say “presented in committee” and I did not. I do apologize for that. By someone who could not even pronounce the name of the state correctly. To me, this bill is nothing but the camel’s nose under the tent except this time, it is up to the neck. This bill is another bite of the apple and that apple is your Second Amendment rights being taken away, bite by bite. We all took an oath to uphold the Constitution, so I sincerely hope you will all join me in opposing this bill.

ASSEMBLYMAN ELLISON:

I rise in opposition to AB 286. Our Second Amendment rights are cherished as a constitutional liberty in order to defend our homes and our families. Assembly Bill 286 restricts law abiding citizens and CCW [carrying a concealed weapon] holders in Nevada from defending themselves, and makes our communities less safe. The attack on our Second Amendment and elections are a consistent, coordinated national effort to disarm law abiding citizens. We suffer because of it. I call on all Nevadans to stand together for our Nevada way of life, and please stand with me to vote no on this bill.

Roll call on Assembly Bill No. 286:

YEAS—26.

NAYS—Black, Dickman, Ellison, Hafen, Hansen, Hardy, Kasama, Krasner, Leavitt, Matthews, McArthur, O’Neill, Roberts, Titus, Tolles, Wheeler—16.

Assembly Bill No. 286 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 2.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Education.

Motion carried.

Senate Bill No. 6.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 8.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 59.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Growth and Infrastructure.

Motion carried.

Senate Bill No. 75.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Senate Bill No. 122.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Senate Bill No. 127.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 146.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

Senate Bill No. 151.

ASSEMBLY BILL NO. 286—ASSEMBLYWOMAN JAUREGUI

MARCH 15, 2021

Referred to Committee on Judiciary

SUMMARY—Prohibits certain acts relating to firearms.
(BDR 15-21)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to crimes; prohibiting a person from engaging in certain acts relating to unfinished frames or receivers under certain circumstances; prohibiting a person from engaging in certain acts relating to firearms which are not imprinted with a serial number under certain circumstances; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law establishes various unlawful acts relating to firearms. (Chapter 202 of NRS) **Sections 3-5** of this bill create additional unlawful acts relating to firearms.

Section 3 of this bill prohibits a person from possessing, purchasing, transporting or receiving an unfinished frame or receiver unless: (1) the person is a firearms importer or manufacturer; or (2) the unfinished frame or receiver is required to be, and has been, imprinted with a serial number. **Section 3** provides that a person who commits such an unlawful act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty of a category D felony.

Similarly, **section 3.5** of this bill prohibits a person from selling, offering to sell or transferring an unfinished frame or receiver unless: (1) the person is a firearms importer or manufacturer and the recipient of the unfinished frame or receiver is a firearms importer or manufacturer; or (2) the unfinished frame or receiver is required to be, and has been, imprinted with a serial number. **Section 3.5** provides that a person who commits such an unlawful act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty of a category D felony.



20 **Section 4** of this bill prohibits a person from manufacturing or causing to be
 21 manufactured or assembling or causing to be assembled a firearm that is not
 22 imprinted with a serial number issued by a firearms importer or manufacturer in
 23 accordance with federal law and any regulations adopted thereunder unless the
 24 firearm is: (1) rendered permanently inoperable; (2) an antique; or (3) a collector's
 25 item, curio or relic. **Section 4** provides that a person who commits such an unlawful
 26 act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second
 or any subsequent offense, is guilty of a category D felony.

27 Similarly, **section 5** of this bill prohibits a person from possessing, selling,
 28 offering to sell, transferring, purchasing, transporting or receiving a firearm that is
 29 not imprinted with a serial number issued by a firearms importer or manufacturer in
 30 accordance with federal law and any regulations adopted thereunder unless: (1) the
 31 person is a law enforcement agency or a firearms importer or manufacturer; or (2)
 32 the firearm is rendered permanently inoperable or is an antique, collector's item,
 33 curio or relic. **Section 5** provides that a person who commits such an unlawful act:
 34 (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or
 35 any subsequent offense, is guilty of a category D felony.

36 **Section 6** of this bill defines the terms "antique firearm," "firearms importer or
 37 manufacturer" and "unfinished frame or receiver." **Section 7** of this bill makes a
 38 conforming change relating to the new definitions.

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

1 **Section 1.** Chapter 202 of NRS is hereby amended by adding
 2 thereto the provisions set forth as sections 2 to 5, inclusive, of this
 3 act.

4 **Sec. 2.** (Deleted by amendment.)

5 **Sec. 3. 1.** *A person shall not possess, purchase, transport or*
 6 *receive an unfinished frame or receiver unless:*

- 7 *(a) The person is a firearms importer or manufacturer; or*
- 8 *(b) The unfinished frame or receiver is required by federal law*
 9 *to be imprinted with a serial number issued by a firearms importer*
 10 *or manufacturer and the unfinished frame or receiver has been*
 11 *imprinted with the serial number.*

12 **2.** *A person who violates this section:*

- 13 *(a) For the first offense, is guilty of a gross misdemeanor; and*
- 14 *(b) For the second or any subsequent offense, is guilty of a*
 15 *category D felony and shall be punished as provided in*
 16 *NRS 193.130.*

17 **Sec. 3.5. 1.** *A person shall not sell, offer to sell or transfer*
 18 *an unfinished frame or receiver unless:*

- 19 *(a) The person is:*
 20 *(1) A firearms importer or manufacturer; and*
 21 *(2) The recipient of the unfinished frame or receiver is a*
 22 *firearms importer or manufacturer; or*
 23 *(b) The unfinished frame or receiver is required by federal law*
 24 *to be imprinted with a serial number issued by an importer or*



1 *manufacturer and the unfinished frame or receiver has been*
2 *imprinted with the serial number.*

3 2. *A person who violates this section:*

4 (a) *For the first offense, is guilty of a gross misdemeanor; and*

5 (b) *For the second or any subsequent offense, is guilty of a*
6 *category D felony and shall be punished as provided in*
7 *NRS 193.130.*

8 **Sec. 4. 1.** *A person shall not manufacture or cause to be*
9 *manufactured or assemble or cause to be assembled a firearm that*
10 *is not imprinted with a serial number issued by a firearms*
11 *importer or manufacturer in accordance with federal law and any*
12 *regulations adopted thereunder unless the firearm:*

13 (a) *Has been rendered permanently inoperable;*

14 (b) *Is an antique firearm; or*

15 (c) *Has been determined to be a collector's item pursuant to 26*
16 *U.S.C. Chapter 53 or a curio or relic pursuant to 18 U.S.C.*
17 *Chapter 44.*

18 2. *A person who violates this section:*

19 (a) *For the first offense, is guilty of a gross misdemeanor; and*

20 (b) *For the second or any subsequent offense, is guilty of a*
21 *category D felony and shall be punished as provided in*
22 *NRS 193.130.*

23 3. *As used in this section:*

24 (a) *"Assemble" means to fit together component parts.*

25 (b) *"Manufacture" means to fabricate, make, form, produce or*
26 *construct by manual labor or machinery.*

27 **Sec. 5. 1.** *A person shall not possess, sell, offer to sell,*
28 *transfer, purchase, transport or receive a firearm that is not*
29 *imprinted with a serial number issued by a firearms importer or*
30 *manufacturer in accordance with federal law and any regulations*
31 *adopted thereunder unless:*

32 (a) *The person is:*

33 (1) *A law enforcement agency; or*

34 (2) *A firearms importer or manufacturer; or*

35 (b) *The firearm:*

36 (1) *Has been rendered permanently inoperable;*

37 (2) *Is an antique firearm; or*

38 (3) *Has been determined to be a collector's item pursuant*
39 *to 26 U.S.C. Chapter 53 or a curio or relic pursuant to 18 U.S.C.*
40 *Chapter 44.*

41 2. *A person who violates this section:*

42 (a) *For the first offense, is guilty of a gross misdemeanor; and*

43 (b) *For the second or any subsequent offense, is guilty of a*
44 *category D felony and shall be punished as provided in*
45 *NRS 193.130.*



1 **3. As used in this section, “law enforcement agency” has the**
2 **meaning ascribed to it in NRS 239C.065.**

3 **Sec. 6.** NRS 202.253 is hereby amended to read as follows:
4 202.253 As used in NRS 202.253 to 202.369, inclusive ~~H~~ ,
5 **and sections 2 to 5, inclusive, of this act:**

6 1. **“Antique firearm” has the meaning ascribed to it in 18**
7 **U.S.C. § 921(a)(16).**

8 2. **“Explosive or incendiary device” means any explosive or**
9 **incendiary material or substance that has been constructed, altered,**
10 **packaged or arranged in such a manner that its ordinary use would**
11 **cause destruction or injury to life or property.**

12 ~~H~~ 3. **“Firearm” means any device designed to be used as a**
13 **weapon from which a projectile may be expelled through the barrel**
14 **by the force of any explosion or other form of combustion.**

15 ~~H~~ 4. **“Firearm capable of being concealed upon the person”**
16 **applies to and includes all firearms having a barrel less than 12**
17 **inches in length.**

18 ~~H~~ 5. **“Firearms importer or manufacturer” means a person**
19 **licensed to import or manufacture firearms pursuant to 18 U.S.C.**
20 **Chapter 44.**

21 6. **“Machine gun” means any weapon which shoots, is**
22 **designed to shoot or can be readily restored to shoot more than one**
23 **shot, without manual reloading, by a single function of the trigger.**

24 ~~H~~ 7. **“Motor vehicle” means every vehicle that is self-**
25 **propelled.**

26 ~~H~~ 8. **“Semiautomatic firearm” means any firearm that:**
27 (a) **Uses a portion of the energy of a firing cartridge to extract**
28 **the fired cartridge case and chamber the next shell or round;**
29 (b) **Requires a separate function of the trigger to fire each**
30 **cartridge; and**
31 (c) **Is not a machine gun.**

32 9. **“Unfinished frame or receiver” means a blank, a casting**
33 **or a machined body that is intended to be turned into the frame or**
34 **lower receiver of a firearm with additional machining and which**
35 **has been formed or machined to the point at which most of the**
36 **major machining operations have been completed to turn the**
37 **blank, casting or machined body into a frame or lower receiver of**
38 **a firearm even if the fire-control cavity area of the blank, casting**
39 **or machined body is still completely solid and unmachined.**

40 **Sec. 7.** NRS 202.2548 is hereby amended to read as follows:
41 202.2548 The provisions of NRS 202.2547 do not apply to:

42 1. **The sale or transfer of a firearm by or to any law**
43 **enforcement agency and, to the extent he or she is acting within the**
44 **course and scope of his or her employment and official duties, any**



1 peace officer, security guard entitled to carry a firearm under NAC
2 648.345, member of the armed forces or federal official.

3 2. The sale or transfer of an antique firearm . ~~[- as defined in 18~~
4 ~~U.S.C. § 921(a)(16).]~~

5 3. The sale or transfer of a firearm between immediate family
6 members, which for the purposes of this section means spouses and
7 domestic partners and any of the following relations, whether by
8 whole or half blood, adoption, or step-relation: parents, children,
9 siblings, grandparents, grandchildren, aunts, uncles, nieces and
10 nephews.

11 4. The transfer of a firearm to an executor, administrator,
12 trustee or personal representative of an estate or a trust that occurs
13 by operation of law upon the death of the former owner of the
14 firearm.

15 5. A temporary transfer of a firearm to a person who is not
16 prohibited from buying or possessing firearms under state or federal
17 law if such transfer:

18 (a) Is necessary to prevent imminent death or great bodily harm;
19 and

20 (b) Lasts only as long as immediately necessary to prevent such
21 imminent death or great bodily harm.

22 6. A temporary transfer of a firearm if:

23 (a) The transferor has no reason to believe that the transferee is
24 prohibited from buying or possessing firearms under state or federal
25 law;

26 (b) The transferor has no reason to believe that the transferee
27 will use or intends to use the firearm in the commission of a crime;
28 and

29 (c) Such transfer occurs and the transferee's possession of the
30 firearm following the transfer is exclusively:

31 (1) At an established shooting range authorized by the
32 governing body of the jurisdiction in which such range is located;

33 (2) At a lawful organized competition involving the use of a
34 firearm;

35 (3) While participating in or practicing for a performance by
36 an organized group that uses firearms as a part of the public
37 performance;

38 (4) While hunting or trapping if the hunting or trapping is
39 legal in all places where the transferee possesses the firearm and the
40 transferee holds all licenses or permits required for such hunting or
41 trapping; or

42 (5) While in the presence of the transferor.

43 **Sec. 8.** (Deleted by amendment.)

44 **Sec. 9.** (Deleted by amendment.)



- 1 **Sec. 10.** 1. This section and sections 1 to 4, inclusive, and 6
2 to 9, inclusive, of this act become effective upon passage and
3 approval.
4 2. Section 5 of this act becomes effective on January 1, 2022.

⑩



NEVADA LEGISLATURE

81st Session, 2021

SENATE DAILY JOURNAL

THE EIGHTY-FIRST DAY

CARSON CITY (Thursday), April 22, 2021

Senate called to order at 11:32 a.m.

President Marshall presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Thomas Babu.

Almighty and eternal Light of the World, You are, indeed, the source of mercy and compassion. You hear the cry of the poor. You suffer with those who feel the indifference of the world. Grant us a renewed commitment to stand with You and in You for life and love, hope and healing, mercy and compassion. Help us value the dignity of the human person from the unborn to those on death row. Help us to see each person, regardless of one's past mistakes or failures, as a precious member of our human family, worthy of love and compassion. We pray for all who are merciful and compassionate as they are instruments of Your tender mercy and unconditional love.

Help our Senators of this Great State to be compassionate leaders. Help them stand committed to building a world based on Your covenant of love and life. Encourage them to be kind and merciful in giving second chances to the downtrodden. While the global pandemic has caused much anxiety and suffering, let Your people be a beacon of hope and a sign of peace as we heal our divisions and work together to end the pandemic.

In the Holy Name of our Creator, we pray.

AMEN.

Pledge of Allegiance to the Flag.

By previous order of the Senate, the reading of the Journal is dispensed with, and the President and Secretary are authorized to make the necessary corrections and additions.

MESSAGES FROM ASSEMBLY

ASSEMBLY CHAMBER, Carson City, April 20, 2021

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Bills Nos. 45, 59, 139, 158, 169, 195, 243, 251, 253, 254, 257, 266, 268, 277, 281, 286, 287, 296, 298, 301, 307, 313, 316, 318, 326, 327, 330, 333, 335, 336, 339, 343, 345, 359, 360, 367, 368, 374, 378, 384, 385, 388, 391, 397, 399, 400, 405, 410, 413, 417, 419, 420, 424, 436, 440, 442, 444.

CAROL AIELLO-SALA

Assistant Chief Clerk of the Assembly

APP 000612

Assembly Bill No. 266.

Senator Ratti moved that the bill be referred to the Committee on Education.
Motion carried.

Assembly Bill No. 268.

Senator Ratti moved that Senate Standing Rule No. 40 be suspended and that the bill be referred to the Committee on Judiciary.
Motion carried.

Assembly Bill No. 277.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.
Motion carried.

Assembly Bill No. 281.

Senator Ratti moved that the bill be referred to the Committee on Growth and Infrastructure.
Motion carried.

Assembly Bill No. 286.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Assembly Bill No. 287.

Senator Ratti moved that the bill be referred to the Committee on Health and Human Services.
Motion carried.

Assembly Bill No. 296.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Assembly Bill No. 298.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.
Motion carried.

Assembly Bill No. 301.

Senator Ratti moved that the bill be referred to the Committee on Growth and Infrastructure.
Motion carried.

Assembly Bill No. 307.

Senator Ratti moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

**MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY**

**Eighty-first Session
May 11, 2021**

The Senate Committee on Judiciary was called to order by Chair Melanie Scheible at 1:10 p.m. on Tuesday, May 11, 2021, Online and in Room 2135 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Melanie Scheible, Chair
Senator Nicole J. Cannizzaro, Vice Chair
Senator James Ohrenschall
Senator Dallas Harris
Senator James A. Settelmeyer
Senator Ira Hansen
Senator Keith F. Pickard

GUEST LEGISLATORS PRESENT:

Assemblywoman Sandra Jauregui, Assembly District No. 41

STAFF MEMBERS PRESENT:

Patrick Guinan, Policy Analyst
Nicolas Anthony, Counsel
Sally Ramm, Committee Secretary

OTHERS PRESENT:

David Pucino, Senior Staff Attorney, Giffords Law Center to Prevent Gun Violence
Steve Lindley, Program Manager, Brady Campaign to Prevent Gun Violence
Annette Magnus, Executive Director, Battle Born Progress
Christiane Brown, Brady Nevada
Michael Willoughby
Leann McAllister, Executive Director, American Academy of Pediatrics, Nevada Chapter

Senate Committee on Judiciary
May 11, 2021
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Maria-Teresa Liebermann-Parraga
Steven Horner
Anwar Green
Teresa Crawford, Volunteer, Moms Demand Action
Heather Sallan
Kimi Cole
Jeri Burton, National Organization for Women, Nevada Chapter
Leonard Jackson, Director, Faith Organizing Alliance
Tess Opferman, Nevada Women's Lobby
Audrey Dempsey, President, Nevada Federation of Democratic Women
Cassandra Rice
Kimberly Carden, Indivisible Northern Nevada
Nida Alvi, Everytown for Gun Safety
Nancy Hoffman
Sy Bernabei
Matthew DeFalco
Chris Daly
Linda Cavazos
Vinod Kumar Cadley
Tehran Boldon
Dan Reid, Western Regional Director, National Rifle Association
Loran Kelley
Bob Russo
Brittany Sheehan
Michael Findlay, National Shooting Sports Foundation
Randi Thompson, Nevada Firearms Coalition
James Carr
John Ross
Janine Hansen, State Chairman, Independent American Party
Sarah Lerma
Rudy Hinbelang
Jake Suty
Lynn Chapman, State Vice President, Nevada Families for Freedom
Jared Raman
Eric Spratley, Executive Director, Nevada Sheriffs' and Chiefs' Association
Charles Mazza
Nick Burgeson
Brandon Blum
Brittany Sheehan

Senate Committee on Judiciary
May 11, 2021
Page 3

CHAIR SCHEIBLE:

I now open the hearing on Assembly Bill (A.B.) 286.

ASSEMBLY BILL 286 (2nd Reprint): Prohibits certain acts relating to firearms.
(BDR 15-21)

ASSEMBLYWOMAN SANDRA JAUREGUI (Assembly District No. 41):

In October 2017, my friend, husband and I, and countless others were at the Route 91 Music Festival when a gunman opened fire and killed 58 people, wounding nearly 500 others, devastating our city and changing our lives forever. People were here visiting Las Vegas to have an exciting, fun, memorable trip only to experience the deadliest mass shooting in modern U.S. history. While we have made progress in the years since then, we have also continued to see violent incidents that left Nevadans questioning the safety of our community.

Assembly Bill 286 deals with the rising epidemic of unmarked, untraceable guns also known as ghost guns. Ghost guns are growing in popularity because they circumvent background checks and are untraceable. This type of gun is sold online as kits that are then easily assembled at home. If they are used in a crime, law enforcement has no way to trace them because they do not have serial numbers.

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

DAVID PUCINO (Senior Staff Attorney, Gifford Law Center to Prevent Gun Violence):

Ghost guns have emerged as an issue of pressing national concern. The President spoke on this issue in his joint address to Congress, law enforcement agencies across the Country cite their explosive, rise and ghost guns pose the fastest-rising trend to gun safety in the Country—particularly in Nevada. This threat can be addressed immediately and in significant measure by enacting A.B. 286.

Ghost guns are designed to evade our gun laws by ingeniously exploiting a loophole in the way the federal government regulates firearms. Firearms are made up of a number of different components. One of these components is linked to all regulation. That part is called the frame in the case of handguns and the receiver in long guns. This is the only component subject to any federal regulation. When a traditionally manufactured frame or receiver is purchased, that component will require a background check. The component will come with a serial number and other markings that uniquely identify it and enable it to be traced in the event it is recovered in a crime. Records of the sale are retained. This process allows the firearm-tracing process to occur. The tracing process is a critical tool for law enforcement in gun investigations because it allows them to connect a recovered firearm to its retail buyer and back through the supply chain. It allows a gun used in a crime to be identified with its owner.

Ghost guns evade all of these regulations. Companies, including Polymer80, will sell a frame or receiver that is not fully manufactured. As a result, the federal government will not classify it as a firearm. There is no background check, no serial number and no records. These firearms are untraceable and often sold with all the guides, tools and parts needed to produce a fully functioning weapon with no training or experience. The ghost guns are ready-made for people who want to have a firearm in spite of the fact that they are not allowed to buy a gun. They have been used by such individuals to purchase a firearm by people who may have been underage, convicted of a felony or otherwise ineligible. Untraceable guns have been used in mass violence by such people.

Ghost guns have become pervasive in other states, including California. As many as one-in-three guns recovered by law enforcement is a ghost gun. While the problem of ghost guns may have first emerged in California, it is rapidly spreading across the Country. City after city is reporting massive increases in the number of ghost guns being recovered. This disturbing trend has accelerated throughout the course of the pandemic. Ghost gun sellers are reporting that they are selling so quickly they are unable to keep the products in stock.

Precisely because these products evade federal regulation, we do not know how many ghost guns are out there. Part of the reason for this increase in ghost guns is that they are appealing to gun traffickers. Normally, a person purchasing a firearm must pass a background check and produce sales records. Firearm traffickers employ individuals called "straw purchasers" who have clean

records and make a purchase from a gun dealer for the trafficker. This is not necessary with ghost guns. There is no need to move to different dealers to disguise buying patterns or paperwork that will link the guns back to the purchase. Ghost guns are easy to obtain and untraceable. It is no wonder law enforcement finds ghost guns while uncovering trafficking rings. This has happened in Nevada, where one trafficking ring was using ghost gun products to manufacture machine guns. Assembly Bill 286 will address this growing crisis by cutting off the ghost guns at the source immediately.

Section 3 of the bill would prohibit the unfinished frames and receivers designed to avoid federal regulation. Sections 4 and 5 will address the manufacture, possession and sale of the completed weapons. Together, this bill will provide the enforcement tools needed to stop the flow of these parts to traffickers who are flooding the streets with untraceable firearms.

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

While this bill would immediately address the problem of ghost guns, it would not immediately criminalize those who possess untraceable firearms that were legal at time of purchase. A grace period will last until January 1, 2022, during which time individuals will be able to sell, surrender or render inoperable their untraceable firearms.

STEVE LINDLEY (Program Manager, Brady Campaign to Prevent Gun Violence):
A ghost gun is the lower portion of a firearm. If a ghost gun is less than 80 percent complete, it does not require the firearm to have a serial number under ATF regulations. Having no serialization means no background check process needs to take place to purchase or sell the firearm. It is called a ghost gun because it is untraceable by law enforcement. As far as the law is concerned, it does not really exist. The problem is the background check

process. The Brady background check process has proven to be effective over the last 25 years in keeping prohibited people from purchasing firearms. This includes felons, people with mental health issues, people with domestic violence convictions or people who are wanted by law enforcement.

I want to go over the two different types of ghost guns and how the problem started in California. A picture taken at a gun show in California showed a lower receiver that can be purchased without a serial number as a ghost gun for \$125. This was made from aluminum and stainless steel alloy. The same equipment, as a ghost gun, needs to be drilled out and the trigger assembly inserted to make this into a firearm that requires a serial number. This is comparable to an Armalite (AR) 15 platform that includes a small pistol and some plastic receivers. These are rarely available at gun stores. They are available online to be shipped, no questions asked, and at gun shows.

The ATF Firearms Tracing System data for 2018 reported around a thousand long guns recovered in Nevada. Assault weapons were a small percentage of those recovered firearms. The assault weapons used in most mass shootings on a day-to-day basis are not recovered very often. However, handguns are the firearm of choice for most criminals—in 2018 around 4,500 handguns were recovered. This is where the real problem lies. We have seen a change in the ghost guns from the AR-15 platform lower receivers to handguns and Glock clones. In California in December 2019, the vendor was initially marketing these kits to individuals. In January 2020, pieces in the box were already put together, and the slide was held together with rubber bands and a zip tie. The firearm looks more functional when compared to what was available a month before.

The Polymer80 kit that could be purchased before the ATF raid was called a "Buy, Build, Shoot" kit. Every piece needed to put the firearm together was in this kit. All the purchaser needed was a Dremel tool or a regular drill and 20 to 40 minutes depending on skill levels. The real problem begins when the product switches from the AR-15 platform to handguns, as handguns are used far more frequently in crimes.

Statistics from the ATF offices in California: In 2019, 30 percent of all its investigations led to confiscation of ghost guns. In the Los Angeles Police Department (LAPD), 40 percent of the firearms recovered in 2019 are considered ghost guns. There is a difference between ghost guns and guns

where the serial numbers have been obliterated. Law enforcement knows this. Firearms manufactured with no serial number and sold without background checks are a considerable problem. Year after year, we have seen the number of ghost guns recovered by law enforcement increase across the Nation.

How are ghost guns being used? In mass shootings. They are also being used to target law enforcement. In June 2019, a felon used a ghost gun AR-15 to ambush, shoot and kill Sacramento police officer Tara O'Sullivan. A few months later, another felon used a ghost gun, also an AR-15, to shoot three California Highway Patrol officers, killing one of them—Officer Andre Moye, Jr. In May 2020, a Boogaloo member used a ghost gun to ambush and kill federal security officer Pat Underwood. In September 2020, a felon used a ghost gun to ambush and shoot two Los Angeles County Sheriff's deputies. Both survived, but they were shot in the head. Criminals are using these firearms not only in other types of crime but to target law enforcement.

What are other states doing about this issue? This is more of a problem in California that tried to resolve this problem in 2016 with Assembly Bill 1673 which would have banned ghost guns in California. It was vetoed by then-Governor Jerry Brown. In 2019, California Assembly Bill 879 signed by Governor Gavin Newsom will not take effect until 2022. It is more of a regulatory process to conduct background checks on ghost guns using California's ammunition background check system.

In December 2019, Pennsylvania Attorney General Josh Shapiro classified ghost guns as firearms. This changes the way the state looks at ghost guns. Washington, D.C., Mayor Muriel E. Bowser, signed emergency legislation in March 2020, banning kits used to make untraceable ghost guns after the number of home-built firearms seized by police in the city spiked last year. In Rhode Island, Governor Gina Raimondo signed a bill banning ghost guns and ghost gun kits. This makes it illegal to manufacture, import, sell, ship, deliver, possess, transfer or receive any firearm made from plastic, fiberglass or through a 3D-printing process.

Washington, D.C., targeted a specific manufacturer, Polymer80, for illegally advertising the selling of untraceable firearms throughout the District. New York is looking at suing a number of online ghost gun suppliers, making sure they are selling them online. They have been selling to underage people. A project

Brady United worked on identified a 17-year-old individual who purchased a ghost gun kit online, no questions asked. Los Angeles is suing Polymer80 because of its marketing, of "Buy, Build, Shoot" fully functional firearms. In 2020, over 700 firearms recovered by LAPD were traced back to Polymer80. We do not know who sold those firearms, but Polymer80 is identified as the manufacturer because it places its logo on the sides of its firearms. These kits are high quality, not Saturday night special-type firearms. If put together with the provided parts, these are reminiscent of, and for the most part indistinguishable from, a Glock 17, hence the lawsuit from the City of Los Angeles.

We have other anecdotes of mass shootings because ghost guns are easy to get. This is happening not just in California but around the Nation. In August 2019, an individual used an AR-15 ghost gun to shoot 26 people, killing 9 of them in Dayton, Ohio. A 16-year-old in California shot 5 of his classmates at Saugus High School, killing 2 of them. This problem is growing and about to become uncontrollable for government and law enforcement unless we do something about it right now.

ASSEMBLYWOMAN JAUREGUI:

I am showing a video available at the Nevada Legislative website, from Brady United about a teenager purchasing a ghost gun.

SENATOR OHRENSCHALL:

Is there any check to stop prohibited persons who are not supposed to have firearms from purchasing these kits?

ASSEMBLYWOMAN JAUREGUI:

That is the problem with ghost guns. It is a way to bypass background checks.

MR. PUCINO:

That is right. There is no background check on the sale of one of these kits, so anyone is able to buy one of them with no process to stop them.

SENATOR HARRIS:

Would this bill preclude the possibility of building guns in one's own home?

MR. PUCINO:

No, it would not. An individual who would like to build a firearm at home would be able to purchase a finished frame or receiver with a serial number to build or modify a firearm that would be fully traceable and compliant with this law.

SENATOR HARRIS:

For those who already have these guns, what would the process look like for them to come into compliance with this law? You mentioned they can be sold, but I do not think you can legally sell a gun that is not serialized. Would they have to turn it over? Do you envision all of them buying a frame with a serial number to replace the ghost gun? Would we expect them to destroy the ghost guns? How do you imagine coming into compliance for those who wish to do so?

MR. PUCINO:

The process for individuals who wanted to sell them would be fairly simple. They could sell the gun to a licensed dealer who would be able to serialize them and resell them as legal firearms. The other processes involve transporting the weapon out of Nevada or, alternatively, rendering the piece inoperable.

ASSEMBLYWOMAN JAUREGUI:

Mr. Pucino, could you touch on how they can also replace the unfinished receiver?

MR. PUCINO:

The unserialized component could be replaced with a fully serialized component. These firearms are designed to be modular builds so parts can be swapped out. A serialized frame or receiver can replace an unserialized piece, bringing it into compliance with this law and making it fully traceable.

ASSEMBLYWOMAN JAUREGUI:

All of the items Mr. Pucino walked you through may be accomplished during the time period allowed because the bill does not become effective until January 1, 2022.

SENATOR HARRIS:

I want to make sure this is clear on the record. We have licensed dealers who are accepting the unserialized firearms or purchasing them. Is that an actual

avenue? I know licensed dealers can do this, but are they actually buying these guns from people in any kind of practical manner?

MR. PUCINO:

I am not aware of the process occurring in large numbers at the moment because there is no incentive to do so. The individuals who are in possession of these weapons are either traffickers who are not in the business of selling to dealers or individuals who built the firearms for their own personal use and not for resale.

SENATOR HARRIS:

It would be good if we can do something to incentivize licensed dealers to accept these guns. People can then get some value for what they have purchased if they decide not to spend additional funds to replace these with firearms containing serial numbers.

SENATOR SETTELMAYER:

There are a lot of statistics out there. I was researching this subject. Ghost guns are used in maybe 1 percent or 2 percent of the crimes, yet 43 percent of the criminals actually purchase weapons on the black market, according to the Department of Justice (DOJ). None of them made their own weapons. I am worried about my constituents and myself who made their own weapons. My father, when he was plowing a field, found a .32 special police revolver along what was then Highway 395. When he passed away, the revolver was left to me. It is a piece of ranch heritage. When I pass, I want to leave it to my children. The gun is pre-1938 and does not have a serial number. How will that be transferred to the next generation? It is supposed to be prohibited property. Forget the concept of selling, I am just talking about transferring it. How do you transfer something when it is an outlawed product? Am I supposed to surrender it? Then who compensates my family for the gun? Is it a government-taking? How does that work?

ASSEMBLYWOMAN JAUREGUI:

There are provisions in the bill for antiques and collectors' items.

MR. PUCINO:

There is an exception for antique firearms, so the weapon you are describing would not be regulated by this bill. It would fall within the antique firearm exception.

SENATOR SETTELMAYER:

So are you telling me any gun being owned prior to 1938 that does not have a serial number is exempt? What is the definition of an antique gun? You are referencing other things that continually change on the federal level.

MR. PUCINO:

The year cutoff is 1898. Other definitions based on the design of the firearm—firearms with antique designs as opposed to contemporary design, built around a frame or receiver—are included in the antique firearm definition.

SENATOR SETTELMAYER:

I am concerned because guns manufactured prior to 1968 did not need a serial number, it was voluntary. This gun is from the 1930s. I am concerned about what this does to people who are not criminals. Criminals find guns no matter what. They are getting them on the black market. They do not make their own weapons.

SENATOR PICKARD:

I have been shooting competitively since high school and am part of the small group of people who assemble competition rifles. I find the best ones I can for the need. Is it legal or illegal to manufacture a gun without a federal license?

MR. PUCINO:

It is illegal to engage in the business of manufacturing firearms without a license. An entity engaged in the business of manufacturing firearms needs to have a federal license.

SENATOR PICKARD:

If not producing the firearms for sale, I can manufacture any part from a barrel down to a grip adjustment myself without a license?

MR. PUCINO:

That is correct.

SENATOR PICKARD:

The federal government just released some new regulations with respect to these issues. I believe there is a 60-day to 90-day comment window. Does that regulation outlaw the same ghost guns we are discussing?

MR. PUCINO:

Yes. The regulation would cover the ghost guns we have been concerned about and would integrate well with this piece of legislation. The definition of unfinished frame or receiver used in this legislation has a carveout for products required to be serialized under federal law and carry such a serial number. If those federal regulations go into effect, those products would not be affected and would work seamlessly with this bill.

SENATOR PICKARD:

Will the federal regulation displace this law if we pass it?

MR. PUCINO:

To a certain extent, it would. The products are designed just short of the federal definition of a firearm so they come right up to that level. The proposed federal rulemaking would encompass those existing products. This legislation would go further by encompassing a broader range of products, potentially capturing a new effort to evade federal regulation. As the market exists, they would be concurrent and mutually supportive.

SENATOR PICKARD:

Can you explain how this law goes beyond the federal regulations?

MR. PUCINO:

Under the federal regulation, the ATF will look to the amount of effort, skill and time expended to turn a product into a firearm. This bill is designed around the intent for the product designed. If a product is designed and intended to be sold for the purpose of turning it into a firearm, that product is captured within this definition.

SENATOR PICKARD:

We do not have a clear understanding of what is in somebody's head as opposed to what physically exists. How do we legislate around something that is unknown? When we are talking about intent, it is ultimately unknowable. We can guess based on evidence, circumstantial or otherwise, but unless the person actually states their intent, this would be hard to enforce.

In terms of the penalties, I have four receivers for two AR competition rifles. Assume that they do not have serial numbers. So two unserialized receivers are not used and two are used. Is possessing four of these a felony under this law,

or does the stepped penalty apply to instances that this equipment is found in my possession? Are we talking about the numbers of receivers in my possession? Ultimately, the bill does not explain that. How does this work? Do I become a felon simply by possessing the receivers?

MR. PUCINO:

The answer is no. A grace period runs until the beginning of next year during which time the prohibitions and criminal penalties attached to the possession of these products would not apply. After the grace period expires, the first offense is a gross misdemeanor. The second or subsequent offense is a temporal element, so there would have to be a second incident as opposed to just a second product.

SENATOR PICKARD:

When we are talking about the grace period, for example, I would have to dispose of these now illegal parts. They were fairly expensive when purchased. Now that they are illegal parts, their worth is zero. How do people dispose of them since there is no market? I could give them to a federal firearms dealer to make use of them if he/she so chooses. Remanufacturing used parts is not a viable or lucrative business, particularly since a good number of usable parts will be available. If they could be disposed of at 10 percent of their original value or the value on the day before the law goes into effect, who pays for the difference in value? Arguably, it is a taking. The government has just changed the value of my previously legal product. Does the government have any obligation to pay for the value just removed from my property?

MR. PUCINO:

First, I want to note that the universe of products we are talking about here is much smaller than the universe of all firearms. As you mentioned, you purchased your competition rifles through the background check process, so those products are not implicated at all in what we are talking about here. We are talking about a much smaller set of products purchased either as part of these kits or separately without serial numbers. Within that universe, there is no obvious reason for such a severe devaluation of these products as compared with a used firearm, generally. It would be within the capabilities of gunsmiths to put serial numbers on these products and have them available for resale through the standard background check and serialization process. This would not constitute a taking under the courts' existing precedence.

SENATOR PICKARD:

I purchased the barrel and the parts through a federal firearms dealer. Assuming again that the receivers were not serialized, would the possession of the receivers now be illegal?

MR. PUCINO:

It would after the expiration of the grace period.

SENATOR PICKARD:

I purchased them through a background check that you just said is not subject to the bill, yet the possession would be illegal. Clearly, I could have purchased this through a firearms dealer. Because it is unserialized, it still is illegal after the adoption of this bill.

MR. PUCINO:

I am sorry, I misunderstood your question initially. If you purchased it through a dealer and through a background check, it already has a serial number and would not be affected by this bill.

SENATOR PICKARD:

In terms of the takings, can you point to precedent that would suggest a direct action of government that devalues property is not a taking?

MR. PUCINO:

I would be happy to send you that material.

SENATOR PICKARD:

When we are looking at banning home-built firearms, I have a number of friends who build from the ground up. They build their own barrels, they drill them out and rifle them down to the fine parts. Will they have to obtain a manufacturer's license to serialize their weapons or can anyone serialize their own?

MR. PUCINO:

There are two different answers to this depending on the type of firearm a person produces. Scratch-build enthusiasts who build things like civil war replicas, muskets, Revolutionary War replicas, things of that nature, are exempt from the bill. Individuals who build contemporary-style firearms—a small universe of people—would have to get a manufacturing license.

SENATOR PICKARD:

I know lots of people who talk about building their own firearms at home. I do not know if they do it, but I suspect it is far more widespread than a small universe of people.

SENATOR HANSEN:

I understand that in Nevada it is illegal for a felon to have a firearm. In California, are they allowed to have a firearm as long as it does not have a serial number?

MR. PUCINO:

It is the same in California as in Nevada. A person convicted of a felony is not allowed to possess a firearm. The issue here is the supply. A prohibited individual in possession of a firearm is committing a federal crime whether the firearm has a serial number or not. The issue is the ghost gun process creates a large pool of unserialized weapons available without a background check. For a prohibited person, it is easy to get a firearm through the ghost gun process when he or she would not be able to walk into a gun dealer and get one.

SENATOR HANSEN:

All the examples you gave of having ghost guns were felons, and they should not have guns. The fact that they are felons and breaking the law indicates that people who break the laws are going to break the laws, and the people who obey the laws are the ones who are forced to do things that otherwise they do not need to do. How many crimes committed in Nevada in the last five years with a true ghost gun would qualify under this new law as a ghost gun?

ASSEMBLYWOMAN JAUREGUI:

I do not have that number for you, but I do want to address something else. You said that putting a serial number on a firearm is not going to prohibit felons from buying a gun. We disagree because that is what this bill will do. People who buy ghost guns are people who cannot pass background checks. If a serial number is required on all firearms, then passing a background check will be required, which is what felons or prohibited persons would not be able to do.

SENATOR HANSEN:

I get that is the intent, but the reality is quite different. I swear that every time felons are arrested, they also get charged for illegal possession of a firearm.

This means they did not get it through a background check going to the local hardware store and buying a firearm. I would also point out that several places mentioned in the testimony—including Washington, D.C.; Chicago; Detroit; and New York—already have extensive laws against possession, not just ghost guns, yet they lead the Nation in crime.

This idea that we pass a law which says if you are building ghost guns you have to get a serial number on them somehow will stop people from committing crimes, does not add up when looking at the places where not only ghost guns, but handguns in general are greatly restricted. The bottom line in your bill is the problem you are trying to fix—circumventing the background check process. Do you really believe that if we simply require a serial number on firearms, felons will not get weapons because they cannot pass a background check? What happened to the idea of ghost purchasers? Is that now going out the window too?

ASSEMBLYWOMAN JAUREGUI:

It is not just felons. We are trying to keep firearms out of the hands of all prohibited persons. We saw underaged purchasers purchase ghost guns. The reality is that all of the laws we pass here do not stop everything. Seatbelt laws do not stop every passenger from dying; DUI laws do not stop every drunk driver from getting behind the wheel. Laws are intended to prevent some but not all unnecessary injuries or deaths.

SENATOR HANSEN:

Law-abiding people will follow laws. People who are not law-abiding will not. We are punishing people who are not the problem. We are going after people who are doing all sorts of legal things. The idea that criminal elements out there who are building guns to bypass the background check process lacks common sense. As far as things like the 17-year-old, we have all sorts of laws now that you have to be 21 years old before you can buy booze. How successful have we been in stopping underage drinking in our State? When people want to break the law, there are ways to do it, and all we are doing here is once again punishing good, law-abiding, gun-owning people. One difference between alcohol and guns is that the gun owners of America have a Second Amendment right, a constitutional liberty we are infringing on when we try to pass laws like this.

I respect what you went through. I have never seen anything like that. I respect your feelings on it. I cannot say I understand where you are coming from because I have never been through something like that. I do not want you to think I am so heartless that after what you went through I have no sense of compassion.

CHAIR SCHEIBLE:

I want to clarify that while the bill does criminalize the ownership and purchase of a gun or part of a gun that is not serialized, it also places a burden on the producer and seller, correct?

MR. PUCINO:

That is right. The crux of this bill, and what will make this such a successful piece of legislation, is that it puts the burden on the supplier level. That is the key part of this market dominated by gun traffickers. If the burden is put only on individuals, some individuals will comply and some will not. Here, suppliers will no longer be able to sell these products without background checks. That is the key to stop flooding the streets with these ghost guns.

CHAIR SCHEIBLE:

I found the video we watched compelling and disturbing to think about a teenager who could be going through all kinds of emotional distress getting on the internet and ordering parts to create a gun like they would Pokémon cards. If this bill passes, if that teenager logged on to that website and tried to purchase a gun, is the anticipated result that the website selling the guns would have to create different avenues for different states? For instance, if a Nevada resident places an order, he or she will have to go through a background check before the supplier can ship this item or the seller will not ship the item to Nevada.

MR. PUCINO:

I think it is the latter circumstance. For the sale of these products into Nevada, this bill would require a federal firearms license, a serial number and background check. If a 17-year-old tried to purchase this weapon in Nevada, a background check would be required. Because the entity selling the weapon has a federal firearms license, it will have all the procedures in place to conduct the background check. That would come back as a fail because the purchaser would be under the legal age to possess a firearm.

Polymer80 has a federal firearms license and is the largest seller of ghost guns. It is in a position to sell products that comply with this law by simply affixing a serial number to firearms sold in Nevada and conducting a background check.

CHAIR SCHEIBLE:

You are not saying that the people who are creating and distributing ghost guns are already in violation of the law. What they are doing is legal. By enacting a law that makes it illegal, we are still expecting the law-abiding gun owners to continue to be law-abiding. Assembly Bill 286, if passed, will reduce the problem of untraceable, unserialized guns falling into the hands of felons, domestic abusers, kids and other people who should not have guns.

MR. PUCINO:

That is exactly right.

ANNETTE MAGNUS (Executive Director, Battle Born Progress):

I am here as a proud second-generation, gun-owning native Nevadan, representing the 20,000 subscribers to our Battle Born Progress network Statewide. We have been consistent on this issue for years as a Nevada-based organization. Better gun laws are needed for Nevada. Today, you heard the facts to back that up. That is why we are in full support of A.B. 286. So much has happened since the last time I testified on a bill like this. A year ago, I was feeding people out of my garage and watching a global pandemic sweep through our communities. Because of the pandemic and the political discourse, we have seen panic-buying of these weapons all across the Country, including here in Nevada.

This bill will help stop the proliferation of ghost guns, a troubling trend among violent extremists and those who seek to skirt other gun laws we worked hard to pass in Nevada. Assembling unfinished gun parts without serial numbers allows for untraceable deadly weapons to end up in the hands of those who should not have access. Assembly Bill 286 will end this shady practice and make our State safer.

Nevada has no business exporting these weapons as companies like Polymer80 have done. This company was raided after an ATF investigation linked to makeshift guns assembled with its unfinished kits to hundreds of violent crime scenes across the United States. It is an embarrassment to our State and something we should be working to correct immediately.

You will hear arguments that this somehow takes away the rights of gun owners. As a gun owner, I reject those deeply flawed arguments. Supporting better gun laws makes me a better gun owner. I did not buy my gun from a shady online dealer. I went into a gun store and passed a background check. Nevadans want and expect you to enact stronger gun laws during this Session, and we need you all to support this critical bill. I am sick of thoughts and prayers from politicians. The time to take action is now. Please pass A.B. 286.

CHRISTIANE BROWN (Brady Nevada):

These days, there is a lot of talk about individual rights but little talk about responsibility. No constitutional law exists that allows anyone's right to freedom to come at the cost of another's right to safety. Yet in the wake of every gun violence tragedy, fringe gun rights extremists come out in droves saying gun violence prevention laws are not needed, as if tragic loss of life is somehow a fair price to pay for freedom. But the real freedom from being threatened is the right we have to live safely in our communities.

In 2019, Nevadans expanded background checks to keep deadly firearms out of the hands of felons, domestic abusers and the mentally ill. Now, a dangerous loophole is allowing ghost guns—homemade, unserialized firearms—to bypass these laws. Today, anyone in Nevada, even children, can buy and assemble as many ghost guns as one wants in less than an hour—from Glock-style handguns to Avtomat Kalashnikov-47 and AR-15 military-style rifles.

Ghost gun manufacturers will tell you that ghost guns are not real guns because they come unassembled and must be put together before they can kill someone. That is absurd. To Nevada's shame, a huge percentage of ghost guns found at crime scenes were made in our State. Without serial numbers, these ghost guns were untraceable, leaving law enforcement without critical evidence and victims without justice. In 2019, law enforcement recovered approximately 10,000 ghost guns and over 86 percent of those in the ATF database contained parts made by Nevada manufacturer Polymer80. This is not a statistic our State can be proud of. Responsible gun owners do not need untraceable weapons. Responsible gun owners register their firearms legally and purchase their weapons from licensed sellers.

It is time for Nevada to join other responsible states and close this dangerous loophole that the ghost gun manufacturers have shamefully exploited, and irresponsible gun purchasers have taken advantage of. I urge you to pass

A.B. 286 today and please make unserialized ghost guns and their parts illegal in Nevada. I have submitted a copy of my remarks ([Exhibit B](#)).

MICHAEL WILLOUGHBY:

The defense of the weapons covered in this bill is a damning indictment of the rote contrarianism that has taken hold of the gun culture in this Country—the spread of weapons and parts to deliberately sidestep the law, like the bump stock used in Las Vegas on October 1, 2017, or the unserialized crime guns known as ghost guns. Ghost guns are mostly manufactured in Nevada and have been adopted as the weapon of choice nationwide. They cost lives every day, reaching so far as a gang of methamphetamine-dealing neo-Nazis in Pennsylvania.

To be clear, I am a gun owner. Real guns are purchased legally, serialized and background-checked. Ghost guns are weapons of terror and insurrection. A quick look at their defenders' own words online clearly reveal this. We have a moral obligation to take action before more blood is on our hands from events like the next 1 October and before we have to sit through another hearing where a still-grieving family member begs for the answer to a one-word question—Why?

Please find the courage to save lives now before another person we know, another colleague, another friend, someone you love has to find the courage to save themselves and others under a hail of gunfire. I am begging you as a reverend, someone whose bread and butter is thoughts and prayers. This is not the time for idleness, this is the time for action. I am tired of thinking and praying when solutions and concrete steps are obvious, laid out clearly in front of us, that it is up to us—up to you—to take them. It is a lot easier to flee from a committee room when you hear something you do not like than it is to flee from a gunfight. Please take this step. Please find the courage today to support A.B. 286.

LEANN MCALLISTER (Executive Director, American Academy of Pediatrics, Nevada Chapter):

I offer a support statement ([Exhibit C](#)) on behalf of the Nevada American Academy of Pediatrics (AAP) in favor of bill A.B. 286. The AAP observes the most effective measure to prevent suicide, homicide and unintentional firearm-related injuries to children and adolescents is the absence of guns from homes and communities. The AAP recommends that handguns be regulated,

restrictions be placed on handgun ownership and the number of privately owned handguns be reduced. The ghost gun loophole has made it difficult to validate ownership of guns and easy for guns to fall into the hands of domestic abusers and felons.

The Nevada AAP has more than 250 members, most of whom are board-certified pediatricians, both primary and specialty care. Members also include pediatric nurse-practitioners, physician assistants, pediatric residents and medical students, all of whom live and work in Nevada and have dedicated their professional lives to the health of all children.

MARIA-TERESA LIEBERMANN-PARRAGA:

I am a gun owner of multiple guns here in America, and I have also read this bill. At no point in reading this bill and throughout this hearing—even though other folks who are also gun owners said that this would take away my Second Amendment rights—did I agree. I read the bill and went through this hearing. Then I thought for myself—this is a great bill to help keep our community safer. If this bill passes and becomes law, I will be able to keep my AR-15, buy another one if I want to and keep my other guns. This will not infringe on my rights. What this will do is make sure that we do not have untraceable guns that people can make at home to do harm to our community. I urge everyone to please pass this bill to make our community safer.

STEVEN HORNER:

I reside in Assembly District 35 and Senate District 9. I am an Army veteran and retired teacher. I am speaking in support of A.B. 286. On July 20, an individual who could not pass a background check killed two people in Pennsylvania using a handmade 9mm handgun. In November 2019, a 16-year-old shoots 5 students, killing 2 of them, and then kills himself with an untraceable kit gun. These are two examples of shootings done with untraceable ghost guns.

I am an advocate for gun ownership. I grew up in White Pine County hunting and own several weapons. However, I also believe in background checks and the ability to trace a weapon when needed by law enforcement. A person who cannot pass a background check for any reason or a minor who cannot buy a gun without adult permission and supervision is what A.B. 286 addresses. There are reasons why people should not have a gun, but these guns are available online or at gun shows without means to make sure the wrong person is not purchasing a murder weapon. As a Nation, we fail to protect our citizens.

We will not stop all killings or mass shootings, but we can take positive steps forward to stop easy access to untraceable ghost guns that are sold to just anyone, including terrorists, the mentally ill who are a danger to themselves or others, domestic abusers or a student who is angry with a group of fellow students. Carrying a gun is the best way to be safe. Making it more difficult for people who wish to do harm to obtain those guns is much safer.

ANWAR GREEN:

I am here in support of [A.B. 286](#) because it is past time for commonsense legislation geared toward combatting gun violence. As a veteran, I find it troubling to see the Country I love and served being besieged by gun violence that is completely avoidable. Many argue misleadingly that they are somehow losing their rights, but what about my right to live? When you look at ghost guns in particular, they are untraceable, easily bought online and made in large numbers here in Nevada and for what? The first argument was that only criminals want to circumvent the system, but if that is the case, why are ghost guns even necessary? And where do they ultimately end up? A lot of the time in communities of color or in the hands of White extremists. We should not be surprised by this because these guns are the perfect tool to use in violent crimes. Bottom line is Nevada needs to lead on this issue, and the time is now. For these reasons, I urge the Committee to support this bill.

TERESA CRAWFORD (Volunteer, Moms Demand Action):

I have provided my remarks ([Exhibit D](#)) to the Committee. We support [A.B. 286](#) to curb the proliferation of unserialized, untraceable ghost guns in Nevada and nationally. These do-it-yourself firearms have become the weapon of choice of criminals, dangerous extremists and other people legally prohibited from buying firearms. Already, several states and Washington, D.C., have taken legal action against ghost gun suppliers which, as we heard, include a prolific company in Nevada. Some unserialized guns are made of plastic by 3D printers so the carriers of them can evade metal detectors to enter government buildings and board airplanes. Anyone can avoid a background check by ordering a ghost gun online for home delivery—including domestic abusers, gun traffickers, felons and underage people—containing the elements to build a fully functional firearm in a few hours. In 2019, the ATF in California reported that 30 percent of recovered crime guns had no serial numbers, and the ATF estimated that it has recovered 10,000 of these guns across the Country. As we heard in comments and questions, this bill exempts permanently inoperable firearms and keeps relics as defined in the U.S. Code. It takes effect January 2022, providing a

six-month grace period after passage of the bill. Every year, nearly 500 people die by guns in Nevada. This costs taxpayers millions of dollars. Since the 1 October Incident, gun violence has increased on the Las Vegas Strip, which deters tourism. No one law addresses all causes of gun violence, but this bill will close a gaping loophole that allows criminals easy access to firearms.

HEATHER SALLAN:

I am a survivor of the Las Vegas mass shooting on October 1, 2017, and I have grave concerns about all gun issues in our State, as stated in my submitted remarks ([Exhibit E](#)). I stand in strong support of passing all principal gun legislation. Ghost guns are a clear threat to public safety with no federal restrictions on who can buy the ghost gun kits. This responsibility lies with each State to regulate the ability for people to purchase them. Guns that can be bought online with no serial numbers, age restrictions or accountability and can be put together in one's garage or home must be regulated and cannot be overlooked or ignored. This is a serious problem in our Country today, and you have a responsibility to the people of Nevada by taking swift and appropriate action.

We have taken great steps as a State to change and implement sensible gun legislation in the last several years, for which I am grateful. But to not pass legislation regulating ghost guns being sold in large numbers to criminals and people who should otherwise not be able to get a gun with no accountability is negligent and unacceptable. Managing the legal purchasing of guns in this Country is a daunting task. To add an entire faction of weapons that can and are being sold to anyone with no ability to trace them because of a loophole that exists is terrifying and keeps me as a gun violence survivor awake at night. Please stand for safety of Nevada by passing this bill, as ghost guns are a serious threat to our safety.

KIMI COLE:

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

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across our Nation, but Nevada has the opportunity to be a leader in fair, smart, impactful legislation that protects our residents and businesses. I strongly urge you to pass A.B. 286.

JERI BURTON (National Organization for Women, Nevada Chapter):

I am speaking today in support of A.B. 286, representing our Nevada National Organization for Women (NOW) members. Nevada NOW members have been working in coalition with progressive groups to make Nevada a safer place for women and children. During the last Legislative Session, we were successful in passing bills to prevent gun violence. We need A.B. 286 to stop people who cannot pass background checks or people who have protection orders from circumventing State laws and purchasing ghost guns and 3D-printed guns that cannot be traced.

Nevada has seen an increase in deaths by domestic violence and gun violence during the pandemic, and we were already ranked as one of the deadliest states for domestic violence in the Country. Women in Nevada are murdered with guns at a rate of 38 percent higher than the national average. According to the *American Journal of Public Health*, the presence of firearms increases the risk of homicide by 500 percent for female victims of domestic violence. We are concerned that people who are prohibited from buying guns can easily buy a kit and make one at home. I have provided a copy of my remarks ([Exhibit F](#)) to the Committee. We ask that you pass A.B. 286 and stop untraceable guns in our community before they cause more deaths.

LEONARD JACKSON (Director, Faith Organizing Alliance):

You heard already that Nevada is no stranger to gun violence for we are the home to the deadliest mass shooting in modern U.S. history. Thousands of lives were impacted by the tragedy occurring on 1 October. The victims, the survivors and their families were all touched by gun violence in a way most of us hope we never have to understand. We took small steps to address gun violence in the 2019 Legislative Session, but we must do more. We must act now to pass A.B. 286 in Nevada this Legislative Session. As I said in the remarks ([Exhibit G](#)) I submitted to the Committee, addressing gun violence takes courage and tenacity, and this is what we expect from this Legislative Session. We want you to understand the fear in most parents' hearts that these guns are easily purchased by any age group online, and they are cheap compared to purchasing a firearm from a reputable dealer or business.

As a Director of Faith Organizing Alliance and a proud survivor, I urge our Legislators to move in a positive manner by banning ghost guns, thus moving forward to ending gun violence. We must address this issue as we have seen shooting after shooting. Ignoring this problem is no longer an option. Acting now is our only option to protect our residents, communities and future.

TESS OPFERMAN (Nevada Women's Lobby):

We echo what others have said. The Women's Lobby is concerned about the increasing threat posed by ghost guns. Now is the time to pass smart gun laws, and this is a critical step. We urge your support.

AUDREY DEMPSEY (President, Nevada Federation of Democratic Women):

I am speaking today in favor of A.B. 286 as the President of the Nevada Federation of Democratic Women. It is well known that firearms are the leading cause of death among children and teens in the United States. It is also known that firearms are used in 59 percent of female partner homicides. Ghost guns undermine all existing gun laws and are intentionally marketed that way. Anyone, no matter their age or ability to get a legal gun, is able to buy them. There are no federal limitations on how many can be bought. They are cheap. They are relatively easy to put together. They are intentionally marketed as unregulated and untraceable. I echo many of the previous testifiers, and I urge you to support A.B. 286.

CASSANDRA RICE:

I have heard so much logical testimony in support of passing A.B. 286 that it seems unfathomable anyone could be opposed to this. There is so much evidence against it. The one thing I heard was "there are either law-abiding or nonlaw-abiding people." That is black and white. It seems there is either a good guy or a bad guy, and the good guy is going to be punished by a law that makes you follow certain rules. A law-abiding person could be a person who is on the edge of a mental health problem. A law-abiding person could be a not yet mentally mature 15-or-16-year-old boy who may decide to buy this over the internet. What if the law-abiding person has a theft of his or her nonserialized gun? All of these situations show that it is not just a black-and-white issue of law-abiding or not law-abiding. We cannot keep doing this. We have to do something to reduce the number of deaths in this Country. This is just a tiny step. I am hopeful that we pass A.B. 286 because it is the only logical thing to do.

KIMBERLY CARDEN (Indivisible Northern Nevada):

I am a resident of Sparks and a 26-year-retired Army colonel. I am here today testifying on behalf of Indivisible Northern Nevada in support of A.B. 286. From 2016 to 2020, more than 23,000 unserialized firearms were recovered by law enforcement from potential crime scenes nationwide. Of these weapons, 325 were connected with homicides or attempted homicides. With that in mind, I will walk you through a couple of what-if exercises. What if law enforcement informed us that brass knuckles were the ideal weapon of choice for gun traffickers, extremists and gangs? Would the Legislature do something to prevent brass knuckles from being acquired, especially anonymously? What if law enforcement reported that these brass knuckles were inexpensive, untraceable, to be ordered online and that there were verified reports of minors purchasing these brass knuckles? Would the Legislature do nothing? In fact, the Nevada Legislature did do something, and I invite you to consult *Nevada Revised Statutes* (NRS) 202.350 as it pertains to brass knuckles. They are illegal in our State. So replace brass knuckles with ghost guns, the weapons of choice for gun traffickers, extremists and gangs. Inexpensive, untraceable and able to be ordered online without a background check even by minors, and you will see how the same intent holds true. Nevadans deserve a safe place to live. Ghost guns cannot be exempt from our laws.

NIDA ALVI (Everytown for Gun Safety):

I am here testifying in favor of A.B. 286 on behalf of Everytown for Gun Safety, the largest gun violence prevention organization in the Country, with nearly 6 million supporters including moms, mayors, survivors, students and everyday Americans who are fighting for commonsense gun safety measures that can help save lives. The rise of ghost guns is the fastest-growing gun safety issue facing our Country. The unregulated and untraceable nature of ghost guns is not incidental, it is their primary selling point. They are predictably emerging as a weapon of choice for violent criminals, gun traffickers, dangerous extremists and other people legally prohibited from buying firearms. Ghost guns are do-it-yourself guns made from readily available unregulated building blocks. They are easy to make. Their core parts can be bought online or at a gun show without a background checks and they are designed and marketed to be easily converted into a fully functional firearm with little skill. The underregulation of these key components has resulted in a proliferation of these firearms that evade any method of being traced. Assembly Bill 286 would address this problem by prohibiting unserialized firearms and by regulating the possession, sale, transfer, purchase and manufacturing of unfinished firearms unless they

have serial numbers. Nevadans deserve to be protected against violence from ghost guns. We urge you to vote yes on A.B. 286.

NANCY HOFFMAN:

I am a resident of Assembly District No. 30. I am a two-time victim of gun violence. I retired from Sparks Middle School. Two years after I retired, one of my former colleagues was shot and killed by a student. I support the Second Amendment right to own firearms, but I am not in support of the sale of untraceable ghost guns. We all know why guns and vehicles are required to be registered. I agree with the previous speakers in favor of A.B. 286. In response to a Committee member, when lives are on the line, the argument that someone might lose the value of a previously purchased ghost gun is not the point of this legislation. We all have purchased many cell phones only to see their value drop to nothing simply because the technology is improved. Please vote in favor of A.B. 286.

SY BERNABEI:

I offer support of A.B. 286 as a parent, an educator and an advocate for commonsense gun reform. I am scared of the possibility of being a victim in a mass shooting because I know so many people who have been. I see the reality of this epidemic every day in the news. Over 300 people are shot in the United States per day; an average of over 20 of them are children. This is according to bradyunited.org. State-restrictive gun control laws witness fewer gun-related deaths. Every time we see something on our news feed, we collectively mourn and shake our heads, wonder how we got here and what we can do about it. Here we are. This is common-sense gun reform. If you are not on board with this kind of legislation, then you are being complicit with the violence that permeates this Country every day. Ghost guns are an easy way for anyone to have access to a weapon that will kill. Even most gun owners agree there needs to be regulation. Here it is. This will not infringe on your Second Amendment rights because you can still have other firearms. My right to live without fear is more important than your right to own a ghost gun.

MATTHEW DEFALCO:

I trace my enthusiasm for firearms to my service on active duty with the United States Army XVIII Airborne Corps in 2008 to 2012. This bill does not take away my Second Amendment rights or anybody else's rights. The opposition will probably question how many of these homemade guns have been used in crime. The answer is many. Ghost guns undermine laws and are

being used more by those intent on doing harm. We can do something about that by passing A.B. 286.

CHRIS DALY:

I am testifying as someone concerned about gun violence, in support of A.B. 286. When there was an alarming spike in homicides in San Francisco in 2005, I offered a measure to ban handguns there because I thought it would be an appropriate response to that crisis. Now we are seeing an increase in violence related to ghost guns in Nevada and across the Country with many of these guns made here in Nevada. Assembly Bill 286 may not be sweeping reform, but it is a commonsense response to the loophole of unregulated and untraceable guns, making our communities and our schools less safe. Please pass A.B. 286.

LINDA CAVAZOS:

I am the Clark County School District Board of Trustees President and also a licensed mental health professional. I am speaking today as an individual. Our Legislators and presenters have all been provided the technical and legal details of ghost guns and the egregious dangers they present. As an additional horrific factor to the public safety crisis that already exists as gun violence in our Country, we now have these terrifying untraceable ghost guns.

Gun suicide claims lives of 23,000 people in America every year. That is nearly two-thirds of all gun deaths in the U.S. Recent gun safety regulations that include universal background checks and red flag laws focus on a factor that is simply this: reducing access to guns for those who should not have them. That, unfortunately, includes individuals who are in immediate danger of killing themselves or killing others. This population then expands to include troubled children and teens who cannot legally buy a gun. Our children and teens are proficient in technology and can order an unregistered, untraceable ghost gun, and there will be nothing to stop them. What kind of message will we be sending if we do not take one more step like A.B. 286 toward protecting our children and saving lives?

VINOD KUMAR CADLEY:

I am a resident of Las Vegas and am in support of A.B. 286.

TEHRAN BOLDON:

I represent my brother, Michael Boldon, a cab driver killed in a Strip shooting on February 23, 2013, at 4:20 a.m. A felon who had a gun was responsible for him burning alive on The Strip. I respect your efforts with this bill, and I appreciate holding the manufacturers of these ghost guns responsible for their ultimate use. We are victims of violent crimes. Felons will get guns, although this bill will have some effect on that situation. We must hold the manufacturers and producers of these ghost guns and irresponsible gun sellers who sell these guns that end up taking the lives of innocent persons responsible for their use. I know this is not a quick fix. I respect gun owners, gun rights and people who support the Second Amendment like myself, but honest gun owners and purchasers are not the problem. Ghost guns, untraceable guns in the hands of felons, children and persons with mental disabilities is the problem.

Please do not let another family suffer because of the inaction of our Legislature and the inaction of those who are supported by gun lobbies and gun manufacturers. We must do something, and here is an opportunity. Every time there is a shooting, it affects me. Every time we turn on the television and there is a shooting, it affects us. It might not affect those who do not support the bill, but I guarantee you, if they were on the other end of the spectrum, they would understand that something must be done about the proliferation of these ghost guns that fall into the wrong hands. You must speak for the victims and vote to approve A.B. 286.

DAN REID (Western Regional Director, National Rifle Association):

The National Rifle Association (NRA) has submitted a statement ([Exhibit H](#)) in opposition to this bill. Assembly Bill 286 would make it a crime under Nevada law for an individual to possess, sell, offer to sell, transfer a purchase, transport or receive an unfinished frame or receiver or any other firearm without a serial number, effectively banning the long-standing practice of making a firearm for personal use. Assembly Bill 286 would promote the destruction and devaluation of existing firearms without getting to the tangible public safety benefit that people are after. Since before the Revolutionary War, people have been making firearms for personal use. Hobbyists and others have, with the requisite skills and desire, been able to make firearms for their personal use without government intervention. People continue to do that. Legislation before us today and federal regulations that are trying to ban this practice. There is a lot of focus on kit guns, such as Polymer80. This world is far bigger than that. This bill will regulate firearms made for personal use by law-abiding people for a

long time. It would also sweep in firearms not required to have a serial number before 1968.

There is some confusion over what fits into curio and relic. When does a firearm not qualify for that exception? It could subject someone to a criminal penalty for a collector's item. While some gun owners may not agree with restrictions, we are going out of our way to comply with them because we want to maintain our rights.

Compliance with this is challenging. How do you continue to keep your lawfully acquired property right? People who are building these firearms are doing so in accordance with State and federal law. The way this bill is written, there is no way to keep that property without either surrendering it or going through some modification. In reality, there could be a taking here. The owner might have a firearm of high value that does not have a serial number and be asked to engrave a serial number on it, potentially devaluing this firearm.

Firearms are heavily regulated under both State and federal law. Manufacturing, possession, transfer, all types of transfer of ownership are strictly regulated. We are not talking about people who are making firearms in mass and manufacturers out there. We are talking about the hobbyists who are making something for their own personal use who will be affected by this. The point has been made, but it is important to remember that if you are prohibited from possessing a firearm under federal and State law—that is all firearms—whether made in your garage, passed down through generations or acquired through any other means, it is a felony to have one in your possession.

With this bill, we are not going after the bad actors who are already potentially violating the law or circumventing laws. This is sweeping up law-abiding citizens who may be subjected to criminal penalties. There is no fiscal note on this bill. There is no way to account for the potential takings and no public awareness campaign for someone who may have firearms in their safe. Maybe they are not aware that their firearms do not have serial numbers. This is something that came through the family for years, and they could potentially be liable under this. They have a short window of time to comply if this goes into effect.

I want to clarify a couple of points. It was mentioned by the proponents that the California law passed in 2019 does not take effect until 2022.

That is inaccurate. The California law was passed and signed into law in 2016. I believe the proponents were referring to the precursor parts legislation passed and signed into law in 2019 that goes into effect in 2022. We heard that criminals in California were not complying with this serialization bill, so they are not going after parts not considered firearms anywhere. We are maybe talking about upper receivers. There is a lot of ambiguity. They are still putting regulations out, but California is finding that criminals are not complying with its ghost gun law and continuing to expand it.

Also, we heard something about turning into a dealer. The legislation references licensed importers and manufacturers. There is a distinction between a regular federal firearms license and someone who is an importer or a manufacturer. That is a clear distinction. It may not be the gun dealer down the street. A question about penalties needs to be clarified. This could be read if you have multiple firearms in your possession that may run afoul to this law, you could potentially be charged with a felony. If the intent is to be occurrences, that language should be cleaned up.

SENATOR SETTELMAYER:

Section 5 is effective January 2022, yet the other sections are effective on passage and approval. How did other states deal with that? This makes it illegal to possess an unserialized firearm, but then you are told to transport it and turn it in. How has that worked out with the California law?

MR. REID:

In the region that I cover, two states have dealt with this issue. The focus has been California that established a place for people to go, which has a regulatory process. People who built a firearm at home could apply to the California Department of Justice to be assigned a serial number that could then be engraved on their existing home-built firearm, allowing them to maintain those firearms.

The second section of the legislation concerning parts involves a dealer to transfer parts. Hawaii recently put a ban on home-built firearms from the date of enactment, grandfathering in everything prior to that, looking at any newly acquired unfinished frames, receivers and so on. A piece of legislation on the Hawaii Governor's desk would look at the law retrospectively.

LORAN KELLEY:

I would like to address the people who keep bringing up marketing and how these products are marketed. The fault line of the God-given right in the Constitution is being marketed here. The dishonest way some of this is being approached is disturbing to me, starting with the raid of Polymer80. It was stated as if the purpose of the raid was a fact when it is not. To date, no arrests, cease and desist or anything has transpired as a result of those raids. It is an ongoing investigation. It was couched as if a crime has already been committed.

I find it interesting that so many numbers are known about unserialized, untraceable firearms. How is that possible? It was indicated that 1.4 percent were actually used in a crime, notwithstanding the amount of them out there in the hands of hundreds of thousands, if not millions, of law-abiding Americans.

In Nevada, it is a popular hobby. That is exactly what it is. I want to address this mischaracterization. It is bordering on slander and libel to categorize people who enjoy this hobby and use these products as criminals. This is a misrepresentation of the people who enjoy exercising their Second Amendment rights in this manner. I heard a lot of talk about violent crimes that have nothing to do with ghost guns, and it is a purposeful, dishonest mischaracterization to vilify not only the product but the people who use them.

BOB RUSSO:

Many people have decades-old firearms that were passed on to them by family members who acquired older firearms that legally contain no serial number. Others have ghost guns with no serial numbers, including amateur gunsmiths. Assembly Bill 286 would criminalize people who possess those firearms and kit guns even though those firearms were acquired when it was legal to do so. Manufactured parts in many firearms were made prior to October 22, 1968, when the Gun Control Act (GCA) was instituted, and never had a serial number placed on them. To my knowledge, those firearms are still legal today.

Assembly Bill 286 violates the United States Constitution Article 1, section 10 which says states are prohibited from passing ex post facto laws. This gives the American people of any state the right to not be penalized for an act not subject to any such penalty when the act occurred. In other words, no law should be established which criminalizes an act that was lawful at the time it was

committed. A gun legal at the time of purchase cannot be made retroactively illegal.

This bill violates the United States Constitution. Therefore, this bill, at the very least, should include a grandfather clause for those who possess firearms that were legally produced without a serial number prior to October 22, 1968, and for all ghost guns made prior to the institution of this bill if it passes. This is fair and just. I ask what percentage of gun violence in Nevada can be confirmed to have been committed with guns manufactured prior to October 22, 1968, without serial numbers as ghost guns—I suspect few if any. This bill is unconstitutional, and I urge you to oppose it.

BRITTANY SHEEHAN:

The bill's author asserted allegations of fact against Polymer80. Can it have a right to defend? The presenter showed us a Glock-style gun from this company. On behalf of Polymer80, two Glock-style samples were submitted to the ATF that wrote an opinion letter on these products dated January 18, 2017. Directly from the letter:

... our Branch has determined that the submitted Polymer80, Incorporated Glock-type receiver blanks incorporating the aforementioned design features are not classified as the frame or receiver of a weapon designed to expel a projectile by the action of an explosive, thus each of these items are not a "firearm" as defined in GCA, 18 U.S.C. §921(a)(3)(B).

Everything that has happened since the ATF's approving letter is little more than a witch hunt.

The ATF published a proposed rule on Friday that will go into the *Federal Register*, but instead of letting that play out in the appropriate venues, Nevada is trying to beat them to it. What happens when the standards do not match? I think the answer is Nevada does not care, or it would kill this bill and yield the authority on the matter. This legislative activism and bill disregards everything currently happening and what has always been true on the issue.

The use of the State authority was never granted to remove lawful citizens from their firearms or search the creation network to target local commerce. This is an assertion of the Legislature into a federal regulatory role is based on

arbitrary definitions. This hearing has pegged this bill as keeping firearms from prohibited persons, but it asks Nevadans who possess firearms legally to destroy their property. The popularity of these products is based on the desire for Americans to not want their firearms confiscated. Nevada's response is exactly what drives the popularity of these products. It will confiscate your firearms. This bill does exactly that. Please vote no on this terrible bill.

MICHAEL FINDLAY (National Shooting Sports Foundation):

We are the trade association representing manufacturers, retailers, as well as ranges throughout the Country. We also organize Shot Show every year which has nearly 60,000 attendees and brought over \$200 million direct economic value to Nevada. We are here to testify against this bill. We have concerns about it, especially how it would impact our Shot Show. First, we question whether section 6 would affect the pre and post-production process of our manufacturers and the way we display products at our show.

An example, we have multiple vendors coming together at our shows. Conceptualize an iPhone which is not made all at the same time. The glass is made somewhere else, as with the processing unit, and then it is all put together. The same can be true of firearms. The way the bill is written, there are serious questions about whether the manufacturer would have to alter its products or if its subcontractors would also have to be licensed manufacturers. Many of them are now classified as gunsmiths. We want to highlight this as a potential issue in the preproduction process of lawfully manufactured small arms.

The second issue is display, especially as we display heirlooms and classics that were pre-1968. We have a showcase of high-end antique firearms and are concerned that section 6 of the bill means that if those who display are not manufacturers, importers or a typical federal firearms licensee and do not have a variance, displaying those products at Shot Show would be a crime. Our concerns are with the gunsmith part of the production process and the showcasing of pre-1968 heirlooms, classics and antique firearms.

RANDI THOMPSON (Nevada Firearms Coalition):

On behalf of the 48 percent of Nevada households who include law-abiding, responsible gun owners, we are in opposition to this bill. I have provided a statement ([Exhibit I](#)). I echo the concerns that Mr. Reid and Mr. Findlay brought up. I appreciate the question Senator Harris asked, as we are concerned the bill

does not allow for people who possess these firearms to comply with the law. Senator Settelmeyer's questions about the enactment dates are also a concern. Since there is no legal way for Nevadans who own unserialized firearms to sell them, there will be a legal challenge that the State should compensate people for the taking of their property.

People have been making guns for centuries. While 3D-printers and buying frames have made it easier, it still takes skill to build a working gun. That is why about 90 percent of guns used in crimes are either stolen or bought on the black market. I support the goal to reduce the use of guns in crime, but this bill will infringe on the rights of responsible, law-abiding gun owners.

JAMES CARR:

I oppose A.B. 286 because ATF is contemplating changing its definition of firearm, and this change may directly impact section 5 of A.B. 286, which prohibits the possession of a firearm without a serial number. The ATF recently published proposed rule changes to define receivers and slide assemblies not simply as firearm parts as they are but as actual firearms. This change in federal regulation could substantially alter the impact of A.B. 286. Although the word firearm is loosely defined in NRS 202.253, similarly to the federal definition, the ATF's more specific regulatory definition could be used in support of criminal prosecution for the possession of an unserialized firearm or part thereof in Nevada. Specifically, if an unserialized upper receiver or slide simply falls within the ATF's new definition of a firearm, A.B. 286 could make possession of that unserialized part—lawfully purchased as a full firearm through a licensed dealer and with a background check—illegal in Nevada after January 1, 2022. This outcome is not the intent of A.B. 286. I urge you to put this bill on the back burner so these potential consequences can be fully considered by the Committee.

JOHN ROSS:

I am a new resident of Nevada and appreciate the freedom I have in this State, having come from the state just west of here. I have a problem with this bill because I believe it is misguided legislation. It seems that it is more aimed at the manufacturer of these alleged firearms. Instead of dealing with the issue of defining a firearm, this bill targets owners of a completed firearm after they built it for personal use. This has bothered me for years. Rather than going after the alleged problem, they go after those who are not a problem because they are

easy prey and easy to manipulate. For that, I urge against this. I agree with all the people before me who are in opposition to this.

JANINE HANSEN (State Chairman, Independent American Party):

Restrictive gun laws do not lower crime or violence, but when more law-abiding citizens own and carry guns, crime goes down. I have submitted written testimony ([Exhibit J](#)). We oppose A.B. 286, which is a violation of our rights and nullifies our God-given inalienable right to keep and bear arms. The Second Amendment says the right shall not be infringed. Infringed means that you, the government, encroach in a way that violates our rights. Assembly Bill 286 definitely infringes on our rights and is an incremental destruction of our right to keep and bear arms. What happens to my husband who has a gun from his grandmother, a pre-1968 30-06, which he uses for hunting?

Assembly Bill 286 makes criminals out of law-abiding citizens who own kit guns or others without serial numbers. There is no grandfather clause to allow those who legally own guns to keep them. There is nothing they can do with their property but destroy it or turn it over to the government. How many crimes have been committed by people with kit guns in Nevada? What problem is this bill trying to solve?

The bill's greatest effect is to disarm law-abiding citizens. *The Constitution of the State of Nevada*, Article 1, section 1, states: "All men are by Nature free and equal and have inalienable rights among which are those of enjoying and defending life and liberty, Acquiring, Possessing and Protecting property and pursuing and obtaining safety and happiness." Assembly Bill 286 takes away our inalienable rights to defend life and liberty and to obtain safety. *The Constitution of the State of Nevada*, Article I, section 11, states "Every citizen has the right to keep and bear arms for security and defense." Assembly Bill 286 violates this provision. This bill will not make us safer but more vulnerable to those who unlawfully continue to use guns. We all know that criminals prefer unarmed victims.

SARAH LERMA:

I am opposing A.B. 286. Last year during all the closures, gun sales were at a record-breaking high, so much so that people could not get a gun in the uncertainty of the safety in the world. Luckily, I was able to purchase a gun with a serial number. Being a single, petite Puerto-Rican woman living alone

with my frail 90-year-old grandmother, we needed some form of home protection. In the instance where a registered gun could not be purchased, I would have purchased a ghost gun. Aside from that situation, I am fascinated with building guns as a hobby. I want to build my own customizable firearm. As an American, according to our foundational Constitution, we have the right to do so whether government knows about it or not. Do not ban guns. Ban criminal people. Remember 9/11. Did we ban airplanes? Do airplanes kill people? No, criminals do. For the record, teens building ghost guns are statistically not an issue. This bill is the start to removing other gun freedoms. Do not repeat history and follow the same path as Nazi Germany did. Please vote against this intro-Communist bill and protect the freedoms of law-abiding citizens.

RUDY HINBELANG:

I am a former manufacturer of firearms and former law enforcement. This bill does absolutely nothing with nearly 398 million guns in the United States. Do we honestly think that taking a handful out is going to make a difference? It is not. I would like to question people trying to make laws about the untruths coming about in this State. You need to know the laws before you start imposing them. At the age of 14 you can legally own a gun in Nevada. The excise tax is not mentioned in this bill. Excise tax must be paid on every gun manufactured in Nevada. How is the excise tax going to be paid? Who is going to manage those numbers? Is it going to be the State or the federal government? We have already seen how the last bill tried to be pushed through in Nevada and how the federal government handled that. They said no, which took the length of time it did to do the first bill. We keep bringing up major gun issues. We keep bringing up the 1 October Incident in Las Vegas. Can anybody tell me how many ghost guns were used in that incident? Not one. Yet, we want to make law-abiding citizens criminals for somebody else's offense because they actually bought a gun legally.

JAKE SUTY:

I am second-year law student at the William S. Boyd School of Law at the University of Nevada, Las Vegas. I am the owner of several home-built firearms. I want to break the stigma being purported that all of these people who build their own firearms are criminals. I am a former Californian whose serialized self-built firearms were built under the California law Mr. Reid from the NRA was talking about. They will not be legal in Nevada because they have to be serialized by a manufacturer. I do not hold a manufacturer's license even though

my guns are readily identifiable. As many opposition commenters have already noted, there is no grandfather clause to allow individuals who already own ghost guns to be protected. In A.B. 286, the definition of an ex post facto law is being skirted because while the ultimate goal is to criminalize conduct done legally in the past, it uses the term "possession" as a way to argue it is only punishing conduct. I urge you to oppose this bill.

LYNN CHAPMAN (State Vice President, Nevada Families for Freedom):

We oppose A.B. 286. Our borders are wide open. Who has come into our Country? Do we know? We do not. Do we know what firepower is being brought into our Country? We do not. When this bill was in the Assembly I heard on the news the night before that four known terrorists were apprehended at our border. I heard last night on the news that over 6,000 more terrorists, rapists, child molesters and murderers from around the world have now been apprehended at our border, and those were ones who were caught. I wonder how much firepower the ones who were not caught brought with them. How about gangs in our Country? What about the drug cartels? They are heavily armed and usually outgun our police. Yet, you keep going after the law-abiding citizens with more laws that will do nothing but disarm them. This does not seem to be the right time to be disarming people. We have huge problems in this Country and it is not coming from the law-abiding citizens. You need to focus on the law breakers—the terrorists, the gangs, the criminals and the drug cartels and stop taking law-abiding citizens' rights to our Second Amendment liberties away piece by piece. Please oppose A.B. 286.

JARED RAMAN:

I want to point out that companies like Polymer80 are your best friend when it comes to tracking where these go. If people cannot buy these firearms, they are simply going to make them. The 3D files are out there, guns are now downloadable. People are not going that route because it is easier to go to Polymer80. It works out for the ATF and DOJ because they know who is distributing these things, and they can keep tabs on them. As soon as you get rid of companies like Polymeer80 from conducting commerce in Nevada, you are creating a black market where you cannot track them at all. The file is downloadable, guns are going to be made. You cannot stop the signal.

When we look at gun owners in Nevada and across the United States, we are among the most law-abiding people on the planet. We comply with laws for better or for worse. But if you keep pushing the bar back, what do you expect

to happen? Eventually, people are just going to have enough, and most law-abiding people will become noncompliant. It is especially important to think about what is going to be done when the most law-abiding people do not want to abide by laws anymore because they are unconstitutional and unjust. You are also at risk of losing Shot Show, which is going to cost the labor union millions of dollars. I hope you oppose this bill.

ERIC SPRATLEY (Executive Director, Nevada Sheriffs' and Chiefs' Association):
The Nevada Sheriffs' and Chiefs' Association (NVSCA) is here in opposition to A.B. 286 due to the procedural enforcement issues created by sections 3, 4 and 5 for Nevada's law enforcement officers. The alleged grace period is not available in the second revision of this bill. The version available to the public today says that section 5 becomes effective January 2022, but the other sections are effective upon passage and approval. If this is confusing to hear and the presenters are not aware of what the bill does and when, how are our Nevada law enforcement officers to be expected to know when to take proper enforcement action?

If an officer comes upon people out lawfully shooting a few of their homebuilt firearms, the way this bill is written, they can be arrested for a gross misdemeanor for possession of the first one and must be arrested for a felony for each of the others they have with them. Similarly, if a person could buy a manufactured and serialized firearm and apply that clean and valid serial number to a nonserialized frame or receiver, there could be multiple firearms with the same serial number out there. Our officers running these numbers in the field would not have information to prove otherwise, and it will show up clear and valid. How would our law-abiding citizens even transport their unserialized frames or receivers if it is a crime to do so? Will the State be going to the residents to collect the property? For that, the NVSCA proposed an amendment that would avoid making criminals out of our law-abiding citizens in sections 3, 4 and 5, but that amendment was not accepted. For that, we oppose this bill.

CHARLES MAZZA:

This potential law affects collectors and hobbyists the most, and it seems that the person who proposed this law just wants to ban guns. Every session, we are in a battle against stopping the ban and every single gun law that goes into effect which affects people of color the most. That scares me because I do not want law enforcement to have another tool to go after people of color; I would

rather focus on criminals who are committing crimes instead of something like this that is just a part of a gun.

Collectors will be the ones caught up in this, and we will see older collectors who have had guns handed down suddenly have to deal with jail and expensive fees to fight it. The people this bill targets are not touched because criminals will have the guns no matter what. This type of law might feel good, but it is not going to affect the criminals.

NICK BURGESSON:

As an Army veteran, I oppose A.B. 286. By creating and attaching laws and rules to law-abiding gun owners, you hinder them from equipping themselves with the needs and proper equipment to protect themselves from the problem. These ghost guns, as they have been called, are pieces of plastic and metal. These are just more public regulations on products from private businesses that hinder them from their right to the pursuit of happiness. Suffering law-abiding gun owners and citizens refrain from gun registrations.

BRANDON BLUM:

I work in cybersecurity, and I do not have a criminal history nor do I intend to engage in any criminal activity. I work to catch criminals. I built an undisclosed amount of unserialized firearms for my own personal use, and I value them specifically because they are anonymous in nature. My unserialized firearms are tied to my Second Amendment right and my Fourth and Fifth Amendment rights.

I look at this as primarily a Fourth Amendment issue, as I explained in my written testimony ([Exhibit K](#)). The advancement of technology and the internet brought down barriers so much that we are now seeing people seize the means of production. People have the ability to design and manufacture household items, medical devices, tools and even firearms in the privacy of their own homes, unbeknownst to anyone. The desire for privacy in exercising the right to keep and bear arms is no different than the privacy we expect when voting in our elections, using the blinds in our homes, writing a letter, email or practicing religion in our own homes. Our home printers are not serialized and registered to prevent criminals from committing fraud; cameras are not serialized and registered to prevent criminals from stalking or producing child pornography. Computers are not serialized to prevent terrorists from launching cyberattacks.

Privacy is not cause for suspicion of criminal activity. We are talking about privately made firearms and handguns, recognized as a fundamental and individual right in the privacy of our own homes for personal use. This is the direct opposite of commercial activity. It is not enough to say that just because serialized firearms are available, it is right to ban the possession of unserialized firearms. We do not ban home printers just because licensed publishers are available to provide books. An officer has to have reasonable suspicion that a person has committed a crime, is about to commit a crime or is committing a crime for that person to identify themselves. Exercising my Second Amendment rights inside my home requires reasonable suspicion before I am even required to identify myself. The fundamental argument for supporters of A.B. 286 is that if you have nothing to hide, you have nothing to fear. This philosophy has been an historical justification for the persecution of numerous ethnic, religious, racial and other minority groups, all under the guise of public safety.

By attempting to squash out and criminalize private homemade firearms, this bill is laying the groundwork for the violation of our right to privacy within our homes, all under the pursuit of unattainable safety. Please do not turn me and thousands of Nevadans exercising our Second and Fourth Amendment rights into criminals. We are peaceful people. We just want to go about continuing our lives. We are not a threat to anyone.

ASSEMBLYWOMAN JAUREGUI:

We will have an amendment by close of business tomorrow to address the issues brought up by Senator Settelmeyer like the effective dates. When we took some sections out of the bill before it came to the Senate, we did not change the effective dates which were meant to be changed. The ghost gun versions of the bill were always intended to be effective January 1, 2022, so I will address that. Also, Senator Settelmeyer pointed out updating the definition of an antique firearm to include a year which we will.

Thanks to Senator Hansen for your words and expressions of compassion. You are right. I will never be able to adequately explain to anybody what it feels like to endure ten minutes of constant gunfire. Thousands of rounds raining down on you as you know you are about to die—and even worse that the person you love is going to die. Ten minutes felt like an eternity. Four months after October 1, when I finally acknowledged that I had been there and shared what I experienced, I decided to make it my mission to work so nobody in Nevada would have to experience that type of hell again. You have heard today

from the people that A.B. 286 will not stop every felon from buying a gun, prevent every incidence of gun violence or save every victim. We talked about it. No law we pass prevents every bad thing from happening. The seat belt requirement does not stop all people from dying in a car accident; no drunk driving campaign stops all incidents of drunk driving; no drop-out prevention bill keeps every kid in school; and the mask requirement does not stop all spread of Covid-19. The point in all these measures including A.B. 286 is that it will stop some incidents. It will save some lives.

CHAIR SCHEIBLE:

I now close the hearing on A.B. 286.

BRITTANY SHEEHAN:

Assemblywoman Jauregui's closing comments caused me to think that I would not want my children in a combat situation where they felt something like she did. I ask Legislators to think about this and draft a bill for the next Session to make it illegal to register in selective service in Nevada so our children are never put into a situation like that against their will.

Remainder of page intentionally left blank; signature page to follow.

Senate Committee on Judiciary
May 11, 2021
Page 43

CHAIR SCHEIBLE:

I have six support statements to put into the record ([Exhibit L](#)), seven opposition statements to put into the record ([Exhibit M](#)) and one neutral statement to put into the record ([Exhibit N](#)).

The meeting is adjourned at 4:07 p.m.

RESPECTFULLY SUBMITTED:

Sally Ramm,
Committee Secretary

APPROVED BY:

Senator Melanie Scheible, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Begins on Page	Witness / Entity	Description
A.B. 286	A	1		Agenda
A.B. 286	B	1	Christiane Brown	Support Statement
A.B. 286	C	1	Leann McAllister / American Academy of Pediatrics, Nevada Chapter	Support Statement
A.B. 286	D	1	Teresa Crawford	Support Statement
A.B. 286	E	1	Heather Sallan	Support Statement
A.B. 286	F	1	Jeri Burton / National Organization of Women, Nevada Chapter	Support Statement
A.B. 286	G	1	Leonard Jackson / Faith Organizing Alliance	Support Statement
A.B. 286	H	1	Dan Reid / National Rifle Association	Opposition Statement
A.B. 286	I	1	Randi Thompson / Nevada Firearms Coalition	Opposition Statement
A.B. 286	J	1	Janine Hansen / Independent American Party	Opposition Statement
A.B. 286	K	1	Brandon Blum	Opposition Statement
A.B. 286	L	1	Senator Melanie Scheible	6 Support Statements
A.B. 286	M	1	Senator Melanie Scheible	7 Opposition Statements
A.B. 286	N	1	Senator Melanie Scheible	Neutral Statement

Christiane Brown

**710 Shadow Park Drive
Reno, NV 89523**

Christine Brown AB286 Testimony

These days there's a lot of talk about individual rights— but very little about **responsibility**. There is no constitutional law that exists now, or ever, that allows anyone's right to freedom to come at the cost of another's right to safety—yet in the wake of every gun violence tragedy, fringe gun rights extremists come out in droves, insisting laws to prevent gun violence aren't needed, and that tragic loss of life is a fair price to pay for freedom.

In 2019, Nevada voters - seeking to curb the epidemic of gun violence - passed SB143, expanding background checks to keep deadly firearms out of the hands of felons, domestic abusers and the mentally ill.

But criminals have now found a dangerous alternative that skirts background check law - Ghost Guns - deadly homemade guns - that are sold without serial numbers, or background checks.

Right now, in Nevada anyone, including children - can buy and assemble as many ghost guns as they want - in less than an hour, ranging all the way from Glock-style handguns to AK-47 and AR-15 military grade rifles. And because these guns have no serial numbers - they're untraceable at crime scenes, leaving law enforcement without critical evidence and victims without justice.

Ghost gun manufacturers try to argue that these are not "real" guns" because they come "unassembled" and must be "put together" before they can kill. This is absurd. To Nevada's shame many of these unregulated Ghost Gun kits are made right here in our state by manufacturer Polymer 80.

In 2019 alone LAPD recovered approximately 10,000 ghost guns - and 86% of those - contained parts made in Nevada. Not something for a state to be proud of.

Responsible gun owners don't need untraceable weapons, responsible gun owners register their firearms legally and purchase their weapons from licensed sellers.

It's up to us to pass AB286 today and make unserialized Ghost guns and their parts illegal - closing the dangerous loophole ghost gun manufacturers have shamefully exploited and unregistered, and irresponsible gun owners have taken advantage of.

Thank you.

352 WORDS

EXHIBIT B	Senate Committee on Judiciary
Date: 5-11-2021	Total pages: 1
Exhibit begins with: B1	thru: B1

APP 000658

Nevada Chapter

American Academy of Pediatrics

DEDICATED TO THE HEALTH OF ALL CHILDREN®



8550 W Charleston Blvd
Ste 102-365
Las Vegas, NV 89117

NevadaAAP.org

**Nevada Chapter
Executive Committee
2021 - 2022**

President
Vanessa Slots, MD, FAAP

Vice President
Mitchell Strominger, MD, FAAP

Secretary/Treasurer
Terence McAllister, MD, FAAP

Immediate Past President
Pam Greenspon, MD, FAAP

Executive Director
Leann D. McAllister, MBA
Cell: 508-685-0918

AB286 Public Exhibit in Favor

Tuesday, 11 May 2021

My name is Leann McAllister. I am the Executive Director of the Nevada Chapter of the American Academy of Pediatrics (Nevada AAP). Today I offer support on behalf of the Nevada AAP in favor of bill AB286.

The American Academy of Pediatrics recommends that handguns be regulated, that restrictions be placed on handgun ownership, and that the number of privately owned handguns be reduced. The “ghost gun” loophole has made it difficult to track and validate ownership of guns. The most concerning aspect of ghost guns is that they can easily be obtained by the wrong people such as domestic abusers, felons, and gang members. We have seen the devastating consequences of irresponsible and illegal firearm ownership. Too many children have died in school shootings, and our youth are commonly using guns to commit suicide.

The AAP supports several measures including AB286 to reduce the destructive effects of guns in the lives of children and adolescents. Although safe storage practices can reduce the risk of death or injury, ammunition and loaded firearms pose a serious danger to children. The AAP asserts that the most effective measure to prevent suicide, homicide, and unintentional firearm-related injuries to children and adolescents, is the absence of guns from homes and communities.

The Nevada AAP currently has more than 250 members, most of whom are board-certified pediatricians, both primary and specialty care; members also include pediatric nurse practitioners, physician assistants, pediatric residents, and medical students, all of whom live and work in Nevada and have dedicated their professional lives to the health of all children. Our chapter members are available to Nevada legislators to answer any questions you have about firearm safety or any health concern that impacts children, adolescents, and young adults in Nevada.

The Nevada Chapter of the American Academy of Pediatrics is incorporated in the state of Nevada.

EXHIBIT C Senate Committee on Judiciary	
Date: 5-11-2021	Total pages: 1
Exhibit begins with: C1	thru: C1

APP 000659

From: Teresa Crawford

Date: May 11, 2021

To: Senate Judiciary Committee

Re: Support for AB 286

Chair Scheible and committee, I am Teresa Crawford, a volunteer with Moms Demand Action for Gun Sense in America. We support AB 286 to curb the proliferation of unserialized, untraceable ghost guns in Nevada and nationally. These do it yourself firearm kits have become the weapon of choice for violent criminals and dangerous extremists, and other people legally prohibited from buying firearms. Already, several states and Washington DC have taken legal action against ghost gun suppliers, which include a company in Nevada. Some unserialized guns are made of plastic by 3D printers so carriers can evade metal detectors to enter government buildings or board airplanes.

Currently, prohibited possessors can avoid background checks by ordering ghost gun kits online for home delivery. These include convicted domestic abusers, gun traffickers, convicted felons and underage people all of whom can build a fully functional firearm in a few hours with common tools. In 2019, the ATF in California reported that 30% of recovered crime guns had no serial number, and the ATF has estimated that they've recovered over 10,000 ghost guns across the country.

Please note that the bill exempts permanently inoperable firearms, antiques, curios and relics and takes effect Jan. 1, 2022, not immediately.

Every year, nearly 500 people die by guns in Nevada. Gun violence costs taxpayers millions and since the 2017 Las Vegas shooting, gun violence has increased on the Las Vegas Strip, which deters tourism. No one law addresses all causes of gun violence, but this bill will close a gaping loophole that allows criminals easy access to firearms.

Please vote Yes on AB 286.

Teresa Crawford

EXHIBIT D Senate Committee on Judiciary	
Date: 5-11-2021	Total pages: 1
Exhibit begins with: D1	thru: D1

APP 000660

May 11, 2021

Nevada Legislature
401 S. Carson Street
Carson City, Nevada 89701

Members of the House,

My name is Heather Sallan and I am writing this letter of testimony in strong support of passing AB286. As a survivor of the Las Vegas Mass shooting on October 1, 2017 I have grave concerns about all gun issues in our state and I stand in support of the passing of all sensible gun legislation.

Ghost guns are a clear threat to public safety and with no federal restrictions on who can buy ghost gun kits, this responsibility lies on us as a state to regulate the ability for people to purchase them. Guns that can be bought online, with no serial numbers, age restrictions, or accountability and that can be put together in ones garage or home by anyone must be regulated and can not be overlooked or ignored. This is a serious problem in our country today and you have a responsibility to the people of Nevada by taking swift and appropriate action..

You have taken great steps as a state to change and implement sensible gun legislation in the last several years for which I am grateful. To not pass legislation regulating ghost guns being sold in large numbers to criminals and people who should otherwise not be able to get a gun, with no accountability, is negligent and unacceptable.

Managing the the legal purchasing of guns in this country is daunting, but to add an entire faction of weapons that can and are being sold to anyone with no ability to trace because of the loop holes that exist is terrifying. This keeps me awake at night. Please stand today for the safety of the people of the state of Nevada, by passing this law into legislation, as ghost guns are a serious and growing threat to our safety.

I am asking you today to vote yess for the passage of AB286.

Sincerely,

Heather Sallan

EXHIBIT E Senate Committee on Judiciary	
Date: 5-11-2021	Total pages: 1
Exhibit begins with: E1	thru: E1

APP 000661

AB 286
Support Statement
Jeri Burton

Good afternoon Chair Scheible and members of the Judiciary Committee. For the record my name is Jeri Burton (spell), I am the President of the Nevada Chapter of the National Organization for Women.

I am speaking in support of AB286 representing our Nevada NOW members. We thank Assemblywoman Jauregui for sponsoring this important legislation.

Nevada NOW members have been working in coalition with progressive groups to make Nevada a safer place for women and children. During the last legislative session, we were successful in passing legislation to prevent gun violence. We need AB286 to stop people who cannot pass background checks or have protection orders from circumventing the state laws and purchasing ghost guns and 3D printed guns that cannot be traced.

Nevada has seen an increase in domestic violence and gun violence during the pandemic. And we were already ranked as one of the deadliest states for domestic violence. Women in Nevada are murdered with guns at a rate of 38.14 percent higher than the National average. According to the American Journal of Public Health the presence of firearms increases the risk of homicide by 500 percent for female victims of domestic violence.

We ask that you support AB286 and stop untraceable guns in our community before they cause more deaths.

EXHIBIT F Senate Committee on Judiciary	
Date: 5-11-2021	Total pages: 1
Exhibit begins with: F1	thru: F1

APP 000662

Nevada must stop the carnage caused by ghost guns

By Reverend Leonard B. Jackson

5-11-2021

Nevada is no stranger to gun violence. We are home to the deadliest mass shooting in modern U.S. history. Thousands of lives were impacted by the tragedy occurring on October 1st, 2017. The victims, the survivors, and their families were all touched by gun violence in a way most of hope to never understand. We took small steps to address gun violence in the 2019 legislative session but we must do more.

We must act now to pass AB286 in the Nevada State legislature. Addressing gun violence takes courage and tenacity. I expect this out of our legislators as they move forward with this important bill. A lot of people don't even know that ghost guns exist. This might cause some to argue that this bill is irrelevant because these guns are not much of an issue overall. This is absolutely incorrect. Ignorance about a problem does not absolve us from our responsibility to fix said problem.

Ghost guns are untraceable because they do not contain serial numbers. They still operate just as any other firearm. They use bullets and they can cause the same devastation that a federally recognized firearm can cause. This process provides a loophole to get around background checks. These guns are easily purchased by any age group online and they are incredibly cheap compared to purchasing a firearm from a reputable dealer or business.

Sadly, Nevada is home to one of the largest dealers of ghost guns in the U.S – Polymer80. Just last week, [a series of shootings](#) in San Diego sparked concern about the influx of ghost guns being trafficked into communities in California. In 2019, Los Angeles recovered more than 700 ghost guns that were linked to Polymer80. We do not want to be known for this. Nevada is too

EXHIBIT G	Senate Committee on Judiciary
Date: 5-11-2021	Total pages: 2
Exhibit begins with: G1	thru: G2

APP 000663

great a state to have a legacy that includes distribution of dangerous firearms that are used in crimes because they cannot be easily traced.

As the Director of Faith Organizing Alliance and a proud Nevadan I urge our Legislatures to move in a positive manner by Banning ghost guns thus moving forward towards ending gun violence. We must address this issue as we have seen shooting after shooting in the [last month](#). Ignoring this problem is no longer an option. Acting now is our only option to protect our residents and communities.

*Reverend Leonard B. Jackson
Director of Faith Organizing Alliance.*

INSTITUTE FOR LEGISLATIVE ACTION

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



NRA

May 11, 2021

The Honorable Melanie Scheible
Chair, Senate Judiciary Committee
101 North Carson Street, Room 2127
Carson City, NV 89701

Dear Chair Scheible:

On behalf of the members of the National Rifle Association in Nevada, I would like to communicate our strong opposition to Assembly Bill 286 (AB 286).

AB 286 would ban the practice of building a firearm for personal use and prohibit the possession of home-built firearms.

Section 3-5 of AB 286 would make it a crime under Nevada law for an individual to possess, sell, offer to sell, transfer, purchase, transport or receive an unfinished frame or receiver or a modern firearm without a serial number effectively banning the longstanding and lawful practice of making a firearm for personal use. Additionally, AB 286 would promote the destruction and devaluation of existing firearms without any tangible public safety benefit.

Precluding an individual from manufacturing a firearm without first obtaining government approval infringes on the longstanding American tradition of manufacturing a personal firearm. From prior to the Revolution to the Civil War and beyond, Americans with the requisite desire, skill and tools have fabricated their own firearms. (See Peter Jensen-Haxel, 3D Printers, Obsolete Firearm Supply Controls, and the Right to Build Self-Defense Weapons Under Heller, 42 Golden Gate U. L. Rev. 447, 477-78 (2012).) This tradition continues to this day, with many Nevadans manufacturing their own firearms without seeking government permission to do so.

As the U.S. Supreme Court has made clear, the Second Amendment protects the “ancient” and “natural” right to keep and bear arms. (*District of Columbia v. Heller*, 554 U.S. 570, 599 (2008).) The Court went to great lengths to explain that the scope of that right is defined by the public’s understanding of the Second Amendment at the time of the founding. (*Id.* at 605.) Accordingly, given this unobstructed and long-standing tradition of personally manufacturing firearms stretching from the Revolutionary War to the present, AB 286’s ban violates the Second Amendment.

Moreover, the restrictions imposed by this legislation are wholly unwarranted. State and federal laws already impose rigorous restrictions on the manufacture, transfer and possession of all types of firearms. Potentially dangerous people convicted of felony offenses, subject to a restraining

EXHIBIT H	Senate Committee on Judiciary
Date: 5-11-2021	Total pages: 2
Exhibit begins with: H1	thru: H2

APP 000665

NATIONAL RIFLE ASSOCIATION OF AMERICA

INSTITUTE FOR LEGISLATIVE ACTION

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



NRA

order, or adjudicated mentally defective, are already prohibited from possessing firearms. Given the nature of criminals and the scope of existing firearm restrictions, it is highly unlikely that AB 286 will do anything to keep weapons out of the hands of those who shouldn't have them.

To make matters worse, this legislation does not provide for a public awareness program to inform owners of unmarked firearms of the new restrictions. Therefore, this legislation threatens to make thousands of otherwise law-abiding Nevadans into criminals overnight.

For these reasons, the NRA strongly opposes AB 286.

Sincerely,

Daniel Reid
Western Regional Director
NRA-ILA



NEVADA FIREARMS COALITION

Randi Thompson
Lobbyist, Nevada Firearms Coalition PAC
Senate Committee on Judiciary
May 11, 2021
AB 286 As Amended
Oppose

Chair Scheible and Members of the Judiciary Committee:

On behalf of the tens-of-thousands of law-abiding gun owners in Nevada, we must oppose AB286.

This bill will violate law-abiding citizens' 2nd, 4th and 5th Amendment rights.

This bill would make it a crime for a person to possess a kit or homemade firearm. Not using it to commit a crime, but merely possessing it in your home would be a crime.

Section 3 imposes restriction of firearms components, specifically unfinished frames or receivers, beyond what is already illegal by federal law. Unfinished receivers are partially completed guns with no serial numbers. Purchasers must perform their own finishing work in order to make the receiver usable.

To force a citizen to "Surrender" their un-serialized firearm to the state violates their Second Amendment right to bear arms, their Fourth Amendment right that protects people from unreasonable search and seizure, and their Fifth Amendment right that requires the government to compensate citizens when it takes their private property.

Since there is no legal way for Nevadans who own un-serialized firearms to sell their un-serialized firearms, the state should compensate people for the "taking" of their un-serialized firearm. Yet, I don't see any kind of fiscal note related to the bill to compensate for those takings.

Americans have making their own guns for centuries. Making your own gun is a hobby for many people and perfectly legal as long as the gun is for their use only. The finishing of receivers for sale by unlicensed persons is *already* against US law.

While the supporters of this bill will tell you that the use of ghost guns is on the rise, the FBI doesn't even track them yet because of such few incidents of their use.

EXHIBIT I	Senate Committee on Judiciary
Date: 5-11-2021	Total pages: 2
Exhibit begins with: I1	thru: I2

1

DEDICATED TO THE OWNERSHIP & SAFE USE OF FIREARMS FOR SELF-DEFENSE,
COMPETITION, RECREATION & HUNTING

APP 000667

We fail to see how this bill will reduce gun violence. Unfortunately, with the ability to use a 3D printer to make a gun frame, anyone can make a gun. But it takes a person with considerable talent to finish the frame. That is why about 90% of guns used in crimes are either stolen or bought on the black market.

Law abiding citizens who make their own guns for their own use, be it for self-defense, adapting it for a disability, or because they are cheap and don't want to spend the money to buy a gun, would see their guns confiscated and become criminals for merely possessing a gun.

If this bill is passed, we would not be surprised to see lawsuits against the state.

Independent American Party

186 Ryndon Unit 12, Elko, Nevada 89801, Janine's cell: 775-397-6859 Sparks 775-356-0105

Janine Hansen director@iapn.org, www.iapn.org

May 11, 2021, In the Year of Our Lord

Testimony of Janine Hansen, State Chairman Independent American Party Senate Judiciary Committee Opposing AB286

We oppose AB286 which is a violation of our rights and nullifies our God Given inalienable right to keep and bear arms. The Second Amendment says this right "shall not be infringed." Infringed means that you, the government, encroach in a way that violates our rights. AB286 definitely infringes on our rights and is an incremental destruction of our right to keep and bear arms.

AB286 makes instant criminals out of people who own kit guns which have no serial numbers. There is no grandfather clause to allow those who legally own kit guns now, to keep them. There is nothing they can do with their property but destroy it or turn it over to government.

How many crimes have been committed by people with kit guns? What problem is this bill trying to solve? This bill's greatest effect is to disarm law abiding citizens.

In the Nevada Constitution in Article 1, Section 1, it states, "All men are by Nature free and equal and have inalienable rights among which are those of enjoying and defending life and liberty; Acquiring, Possessing and Protecting property and pursuing and obtaining safety and happiness." (Inalienable means a right which cannot be taken away from you by government.)

AB286 takes away our inalienable right to defend life and liberty and to obtain safety and happiness by banning kit guns.

In Article 1 Section 11 of the Nevada Constitution it states, "Every citizen has the right to keep and bear arms for security and defense." AB286 violates this provision of the Nevada Constitution.

AB286 will not make us safer but more vulnerable to those who unlawfully will continue to use guns. We all know that criminals prefer unarmed victims.

Thank you.

EXHIBIT J	Senate Committee on Judiciary
Date: 5-11-2021	Total pages: 1
Exhibit begins with: J1	thru: J1

APP 000669

My name is Brandon Blum.

I'm a first generation American. I'm a resident of Las Vegas and I work in cyber security.

Given the nature of my job, I do not have a criminal history nor do I have any intention to engage in criminal activity. In fact, my professional work contributes to catching criminals.

I have purchased firearms through licensed dealers, passing background checks with no issue.

Despite this I have also built an undisclosed amount of unserialized firearms for my own personal use.

I have built these firearms not only for the pure enjoyment of the craftsmanship, but yes also because of their anonymous nature.

I value their anonymity and believe my unserialized firearms are tied not only to my 2nd Amendment right, but my 4th and 5th Amendment rights as well.

My unserialized firearms are inherently and functionally no different than my serialized ones. Like my serialized firearms the only danger/threat they pose is in the direction in which they are pointed.

The advancement of technology and the internet has brought down knowledge barriers to manufacturing and the advancement of personal tools such as 3D-Printers are now allowing ALL individuals to seize the means of production.

People now have the ability to design and manufacture household items, medical devices, tools and yes even firearms all in the privacy of their own homes.

There is no way of putting the genie back in the bottle. See the 9th Circuit ruling on Defense Distributed a few weeks ago.

This desire for privacy in exercising the right to keep and bear arms is no different than the privacy we expect when voting in our elections.

The privacy we expect of being able to put blinds on the windows of our homes.

The privacy we expect when writing a letter, e-mail or practicing our religion.

Our home printers are not serialized and registered in order to prevent criminals from committing fraud or from printing a speech that might be used to incite an insurrection.

Cameras are not serialized and registered in order to prevent criminals from committing stalking or from being used to produce child pornography.

Computers are not serialized and registered in order to prevent terrorists from launching cyberattacks.

Privacy in of itself is not cause for suspicion of criminal activity.

Closed blinds on a home are not grounds for suspicion of domestic assault.

Buying an item at a store with cash isn't grounds for suspicion of money laundering.

Encrypted communications and hidden IP addresses aren't grounds for suspicion of cybercrime.

While the Heller decision acknowledged the 2nd Amendment is not unlimited and supported the laws around the commercial sale of firearms (p.54), what we are talking about is privately made firearms/handguns (recognized as a fundamental individual right), for personal use which is the direct opposite of commercial activity.

It is no answer to say... that it is permissible to ban the possession of some firearms so long as the possession of other firearms is allowed. - Heller p. 57

We don't ban home printers and personal cameras because licensed publishers are available to provide books to the public and because local news stations are able to capture and report the news on camera.

While the aim of wanting to prevent firearms from ending up in the "wrong" hands with background checks and serial numbers can appear as common sense.

The fact is a background check and serial number won't stop someone who is not a criminal today, from legally purchasing a firearm and using it in a criminal act tomorrow.

There is no way to prevent, let alone identify whose hands are the "wrong" hands without infringing on the rights, specifically the privacy of all the other law-abiding citizens in society.

An officer needs to have reasonable suspicion that a person has committed, is committing or is about to commit a crime before that person is required to identify themselves. - Hiibel v. Sixth Judicial District Court of Nevada

Courts have determined it was wrong for the government to violate the privacy of Americans by collecting mass metadata without probable cause in order to prevent terrorist attacks.

The fear surrounding these firearms is that they are "untraceable" and therefore inhibit the ability of law enforcement to solve crimes committed with them.

I think there is little realization in regards to how ineffective current firearms tracing probably is and how often it is probably irrelevant to solving the crime committed with the firearm.

First off, it assumes a firearm is even recovered as a part of the criminal investigation. And probably more often than not when a firearm is recovered the alleged perpetrator is already known, which means a firearms trace is irrelevant to tying the firearm and perpetrator together in order to solve the crime at hand.

In addition, a firearm trace only provides the information of the original purchaser, which could be several degrees of separation from the alleged perpetrator of the crime.

Nor does a firearms trace account for the ability of criminals to simply remove a serial number from a commercial firearm and render it into an unserialized "ghost gun", which in of itself already a federal crime.

The fundamental argument supporters of AB286 are making is that "if you have nothing to hide, then you have nothing to fear" which we all know has been a historical justification for the persecution of numerous ethnic, religious, racial and other minority groups all under the fascistic guise of public safety.

By attempting to squash out and criminalize private homemade firearms, this bill is laying the groundwork and precedent for the violation of our right to privacy within our homes, all in the pursuit of unobtainable safety.

I beg you, please don't infringe on my natural rights.

I beg you, please don't turn me and thousands of other Nevadans exercising our 4th and 2nd Amendment rights into criminals.

Please, I beg you, we our peaceful people, we just want to continue going about our lives, peacefully exercising our natural rights, rights that are of no inherent threat to anyone else.

Thank you.

Sincerely,

Brandon Blum
Las Vegas, NV

In Favor of AB 286

Chair Scheible and committee

A ghost gun, a do-it-yourself, homemade gun made from easy-to-get, unregulated building blocks, should not be available in Nevada. AB 286 would be an important step in Nevada to stop ghost guns! These self-made weapons become fully functioning untraceable firearms. A person can buy the parts and assemble a ghost gun, all in under an hour, without a background check. This is a a prolific problem; the ATF estimated that 10,000 ghost guns were recovered across the country in 2019. As a parent of two daughters, and someone who works on the Las Vegas Strip, please vote yes on this bill to keep Nevadans safe.

Claire Hooper
Henderson, NV

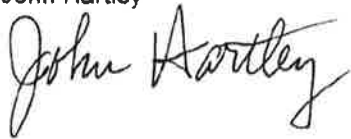
[REDACTED]
Sent: Monday, May 10, 2021 12:09 PM
To: Senate Judiciary Exhibits <SenJUD@sen.state.nv.us>
Subject: AB286

Dear Senators,

I support AB 286 banning un-serialized ghost guns in Nevada. We already have too many issues with deaths due to a proliferation of guns in our state that are legal.

Respectfully,

John Hartley

A handwritten signature in black ink that reads "John Hartley". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

AB286 JUD TESTIMONY - KARL CATARATA - 2 MINUTES 5/11/2021
PREPARED AS DELIVERED

Good Afternoon Chair Scheible, Vice Chair Cannizzaro, and Honorable Members of the Senate Judiciary Committee.

For the record, my name is Karl Catarata. I'm a survivor of gun violence living in Nevada. On June 8, 2014, my family and I survived the shooting that killed two brave Las Vegas Metropolitan Police Department officers at a local Las Vegas Cici's Pizza right before they killed another civilian at a local Walmart. I pulled my mom and brother out of that Walmart when they started opening fire. Many Nevadans remember that day, and many Nevadans do think about their safety when it comes to living in a great city like Las Vegas.

Look - while I am a survivor of gun violence, I come from a family of responsible gun owners. When it comes to responsible gun ownership, I was taught two things: buy responsibly (not by constructing a ghost gun), and use only when it is the dire last resort of protection to stand your ground, if physically attacked.

While we all might have different viewpoints on guns, I think we can all come to common ground and agreement that we all want Nevada to be a safe place to live in. That's where this bill, AB286 comes in. Whether that's by visiting a store, a restaurant, or for instance - my family in 2014 - visiting our local Walmart for groceries. Not only this, but from where I see it: we all want a Nevada that is accountable and responsible with a criminal justice system that prosecutes criminals who commit the most heinous crimes with guns that are not traceable. That cannot be done with ghost guns.

I hope that in your vote for this bill, you think deeply and intentionally about the lives it will impact years from now. Survivors of gun violence like myself, and many of your neighbors and constituents back at home.

Thank you for your time and consideration, and for listening to Nevadans who have survived gun violence and get to live another day to share their experience. Thank you and have a great Tuesday.

Nevada Legislature AB286
2021 Nevada 81st State Legislation
May 11, 2021 Testimony
Patrick V. Naranjo

Dear Senate committee of the 81st Nevada legislation, My name is Patrick V. Naranjo and I am here today to provide written and verbal testimony in support of Nevada Assembly Bill AB286.

Assembly Bill 286 will curb the proliferation of ghost guns in Nevada and across the country by prohibiting possession, sale, offers to sell, transfers, purchases, transports, receipt, or manufacture of an unfinished frame or receiver or unserialized firearm, with certain exceptions.

Senate Committee I am providing testimony today, as I grew up primarily in the home of a police officer. My father is a retired policeman, who dedicated his entire career to firearm instruction, to train and certify incoming police officers, serving within his leadership capacity of public service.

With direct knowledge of the certification process and the rigorous training that is associated with police firearms; and how this process also reaffirms these individuals towards a commitment of public service, I ask that you further consider the support and passing of Assembly Bill AB286.

How can we reaffirm a national, and statewide commitment to our public service officials, who take the time to certify their individual role, and commitment to enforce dangerous individuals that can possibly build their own firearms? Law enforcement officers are also unable to trace ghost guns because they lack serial numbers, making them a weapon intended to also counter the certification role and process.

These weapons have been linked nationwide to increasing crime rates. Please support this legislation and protect our Nevada Public service officials and the duties they are committed to.

Written Testimony on Favor of SB 286 - Seth Morrison

I'm a Nevada resident and strongly support SB286.

SB286 will restrict ghost guns which are commonly purchased to avoid the background checks required in gun stores and other legitimate purchases of guns. It is well documented that many of these guns have been used in crimes.

Personally, I support the Second Amendment however I also believe that fair regulation is essential to protect public safety. SB 286 will also be valuable to Nevada's reputable gun dealers since it will bring them business from legitimate buyers who now purchase these ghost guns.

PLEASE support SB 286 for the safety of all Nevadans.

Wendy Starkweather - written testimony

Date: May 11, 2021
To: Senate Judiciary Committee
Re: Support for AB 286

Chairman Scheible and members of the Senate Judiciary Committee. My name is Wendy Starkweather and I am a volunteer with the Nevada Chapter of Moms Demand Action for Gun Sense in America.

As many of you are aware by now, ghost guns are the fastest growing gun safety problem in the country, and they have become the weapon of choice for violent criminals and extremists. In fact, they are tailor made for bad guys who want guns! AND to make matters worse, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has allowed the core building blocks and complete kits for these guns to be sold online with no background check or serial number. At this moment, these “do-it-yourself” ghost gun kits can be bought online, delivered right to the front door of a convicted domestic abuser, gun trafficker, white supremacist or even a minor child, and they can be put together in less than an hour with the tools that come with the kits. The danger is not theoretical as was seen in a recent 60 Minutes interview the LA County Sheriff reported that, over the last year, the number of ghost gun recoveries turning up in law enforcement investigations has increased by 50%. Clearly the easy availability of such guns emboldens criminals and poses a clear threat to the safety of Nevada families.

And while it is true that the ATF may eventually prepare new guidelines and may determine that these kits are indeed guns and will need to be considered as such, complete with serial numbers and background check requirements, there is no time certain on such a change. We have the opportunity to establish a time certain here in Nevada by passing this bill into law. I urge this committee to recommend passage of AB286.

Thank you very much for your time and attention and thank you for supporting this vital, common sense legislation.

Wendy Starkweather
Chapter Leader
Moms Demand Action - Nevada



**BOARD OF COUNTY COMMISSIONERS
LYON COUNTY NEVADA**

27 South Main Street
Yerington, Nevada 89447
Phone: (775)463-6531 Fax: (775)463-6533

Wes Henderson, District 1
Vida Keller, District 2
Ken Gray, District 3
Rob Jacobson, District 4
Dave Hockaday, District 5

Jeffery A. Page
County Manager

DATE: March 19, 2021

TO: Governor Steve Sisolak
Nevada Assembly Committee on Judiciary
Nevada Senate Committee on Judiciary
Senator Majority Leader Niccole J. Cannizzaro
Senate Minority Leader James Settelmeyer
Assembly Speaker Jason Frierson
Assembly Minority Floor Leader Robin Titus
Assemblyman James Wheeler

RE: Assembly Bill 286 (BDR 15-21)

March 19, 2021 the Lyon County Board of Commissioners unanimously voted to oppose this legislation. Lyon County has concerns that this proposed legislation may violate the constitutional rights of law abiding Nevadans.

Lyon County views this proposed legislation as a further attempt to erode the second amendment rights of all law abiding Nevadans. If the proposed legislation is passed and signed into law a citizen that is in possession of a firearm can be criminally charged if he or she is at the wrong business. Lyon County concurs the NRA who explained *“Private property owners already have the ability to prohibit firearms, this legislation would expand that authority and includes criminal penalties for violations, which could amount to a lifetime firearm prohibition for three violations. The language of the bill would not create any responsibility for the private property owner to provide security measures, such as security guards or metal detectors. Instead, the legislation would create soft targets for those intent on causing harm by leaving law-abiding patrons defenseless.”*

Lyon County opposes any restriction that would prohibit law abiding citizens from possessing, selling, offering to sell, and transferring, purchasing, transporting or receiving an unfinished frame or receiver or a modern firearm without a serial number effectively banning the longstanding and lawful practice of making a firearm for personal use.

State and federal laws already impose rigorous restrictions on the manufacture, transfer and possession of all types of firearms. Dangerous people convicted of felony offenses, subject to a restraining order, or adjudicated mentally defective, are already prohibited from possessing firearms. Given the nature of criminals and the scope of existing

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Date: 5-11-2021	Total pages: 11
Exhibit begins with: M1	thru: M11

APP 000679

firearm restrictions, it is highly unlikely that AB 286 will do anything to keep weapons out of the hands of those who shouldn't have them. To make matters worse, this legislation does not provide for a public awareness program to inform owners of unmarked firearms of the new restrictions. Therefore, this legislation threatens to make thousands of otherwise law-abiding Nevadans into criminals overnight.

Lyon County opposes AB286 which takes away the right to keep and bear arms by severely limiting the right to open carry or concealed carry almost everywhere a person may go including a ball game, rodeo, shopping mall, concert, or church. This bill is a violation of the Second Amendment of the U.S. Constitution and the Nevada Constitution Article 1 Section 11 which provides for "the right to keep and bear arms for security and defense...and other lawful purposes." This bill does not make us safer, it makes us targets, because criminals prefer unarmed victims.

Sincerely



Vida Keller

Chair-Lyon County Board of Commissioners

Senate Judiciary,

People have been building guns at home for decades. This bill has no grandfather clause attached to it and so would make thousands of law abiding ordinary citizens criminals overnight. Not to mention this will have no impact on criminals who don't care what kinds of guns they get to commit their crime with. So, it seems the only point of this bill is to personally harm innocent people and place undue pressure and control on them with no objective other than to control. Is that what you want to be remembered for?

(Not to mention we don't have a gun registry in Nevada.... so a serialized gun is no different than an unserialized gun. For a gun to be linked to a crime you need the barrel and firing pin and a bullet from it with matching lands and grooves. The lower receiver gives no indication whether or not a bullet was fired. The serial number tells you NOTHING).

Jaimee Shepler

Greetings,

I am a former Las Vegas Metro Police Sergeant who worked patrol my entire career. I live in Las Vegas.

I have reviewed AB286 and its amendments and believe it is ill conceived and Constitutionally suspect.

Federal law currently allows the manufacturing of firearms for personal use by one who is not a prohibited person. Such manufactured firearms are not federally required to bear a serial number. This bill would criminalize law abiding citizens who have already manufactured such a firearm because it does not bear a serial number and the bill does not provide a means for them to obtain a serial number to place on the lawfully completed firearm to comply with the proposed marking requirement.

Federal law currently provides that an unfinished receiver, i.e., an 80% receiver, is *not* a firearm.

The definition provided in the proposed legislation at Sec. 6, part 9, of what would constitute an unfinished receiver is vague:

“Unfinished frame or receiver” means a blank, a casting or a machined body that is intended to be turned into the frame or lower receiver of a firearm with additional machining and which has been formed or machined to the point at which most of the major machining operations have been completed to turn the blank, casting or machined body into a frame or lower receiver of a firearm even if the fire-control cavity area of the blank, casting or machined body is still completely solid and unmachined.

How much additional machining would be required to render the item an unlawful unfinished frame or receiver? A solid block of aluminum can be readily machined into an operable receiver with a computer numerical control (CNC) milling machine, which are readily available for a few thousand dollars. The computer coding instructions are readily available on-line to download. Criminals could make thousands of weapons by this method if they were so inclined, but the reality is that they don't need to as firearms are readily available on the street.

Plastic frames, e.g., Glock pistol frames, can be manufactured using inexpensive plastic 3D printing machines available on Amazon for less than \$200.00. Are the resin strings used in 3D printing going to be made illegal?

The possession of firearms by prohibited persons is already unlawful. The criminal use of firearms is already unlawful. What will this bill accomplish that cannot be resolved with the existing statutes?

If 80% frames remain legal on the national level, as they are now, the law abiding will

not purchase them in Nevada, but criminals will have no qualms about importing them into the state. This bill will not even slow down the criminal use of manufactured firearms.

Finally, the bill would appear to constitute an unconstitutional government taking with no means for anyone to render a federally lawfully manufactured weapon legal and no compensation will be paid when forced to destroy or surrender what was a lawful product when acquired.

I am of the opinion that the focus needs to be on the criminal use of weapons—not attempting to ban weapons that, in the hands of lawful gun owners, are not problematic.

For these reasons, I believe the bill should not be entered into law.

Regards,

Bradley A. Patterson

AB286 – Opposition - Incremental Criminalization: Homemade Guns

Before considering this bill, or any bill, remember that these words on paper, when enacted, transform into the confrontations of police officers, the bars of prison cells, and the unshakable labels of convicted criminals. Legislation has far reaching systemic consequences, of which you may not be immediately aware.

Prohibiting the possession of items is contrary to the liberal framework of our legal system and has repeatedly shown to harm individuals, whole classes of people, and society at large. It presumes guilt and criminalizes people who have harmed no one. “Ghost gun” prohibition, like drug and alcohol prohibition before it, is a proposition to solve a problem by treating a symptom. It doesn’t fix the underlying problem and creates undesirable side effects. As alcohol and drug prohibition have shown, the legal framework of prohibition does not reduce the declared problem, moves the activity further in to the shadows of society, and creates a new class of perpetually criminalized and/or incarcerated people.

This law would extend the illiberal legal reasoning of prohibition to hobbyists and mechanically skilled penny pinchers, who build their own guns for lawful personal use. It will ensnare the legally ignorant, who don’t have the time or resources to keep track of the exorbitant decrees, codified by well-meaning, but technically ignorant legislatures.

Inevitably, and probably intentionally, this law will be used to enhance the sentences of people convicted of other unrelated crimes and contribute to mass incarceration. For example, a police officer might smell what they think is the odor of a controlled substance. In searching through the suspect’s belongings, the officer finds a homemade firearm. Whether the officer found drugs or not, the suspect will now face jail time. This law will serve as yet another method to force certain people in to the criminal justice system. Take a moment to think about what those certain people might look like. Do you still feel good about the inevitable outcome of this bill?

I understand that people with little knowledge of firearms and basic machinery are scared of this perceived problem, but this “solution” creates meaningless red tape that only the consciously law-abiding and resourceful will obey. People with no regard for the law and not enough money to purchase a pre-built firearm from a licensed retailer will continue to build their own guns anyway. Simply google “underground arms watch” and you’ll see the handywork of illegal craftsman from around the world. A simple shotgun can be made with two pieces of pipe, a pipe-cap, and a small bolt/screw. Which of those parts should be registered and serialized? Should Home Depots and other hardware stores be forced to register as manufacturers or importers with the ATF? Do you really understand the scope of your law? Are you willing to take responsibility for the outcomes that arise when your law is exhaustively enforced?

There are already laws to punish people who criminally misuse guns to harm people and those should be enough. If those laws aren't sufficiently punishing violent criminals, amend, rewrite, or otherwise correct them. Stop creating these victimless possession crimes.

Laws like this are why we have a mass incarceration problem. They are the result of technocratic authoritarianist musing, drafted in ignorance and oblivious of the outcomes that result when applied in the real world. This bill will do nothing to address the root causes of violent crime. Instead, it creates criminals and forces them into our already overused prison system.

David Schmierer

Reno, NV

Senate Judiciary Committee,

I am a retired military law enforcement officer and current owner of a firearms instruction company.

AB 286 does nothing to promote public safety. This bill would ban homemade firearms made for personal use, which has been legal for centuries in the U.S.

AB 286 would make home-made firearms illegal. This bill doesn't differentiate whether these home-made firearms came from kits or not; any home-made firearm, without a serial number, regardless if came from a kit, would be illegal, as would many accessories and/or parts that firearms owners commonly use for modifications.

There are tens of thousands of Nevadan's that own home-made firearms; and AB286 also doesn't have any sort of "grandfather" clause, meaning that these Nevada citizens would automatically become criminals overnight, simply for possessing their firearms, that they legally made, under both state and federal law.

For those of us that have the knowledge, the skill and the desire to make our own products including firearms, this an infringement of our rights in the most egregious manner.

To make the presumption that banning this centuries old tradition would stop or slow any crime is naive at best, and being intentionally deceiving for self-serving political goals at worst.

Raymond Sherwood
Owner / Instructor
BigDaddy's Firearms Training



Dear Nevada Legislators:

As of the date of this email, the House of Representatives of the 117th Congress have introduced the following legislation AB286 to restrict and/or eliminate most rights associated with the 2nd Amendment. As a permitted gun owner, I am extremely concerned about the future of both the safety of my family and the safety of my community. Criminals have no regard for the law. The only purpose of the gun control laws then, is to remove any personal protections of lawful citizens. That in of itself, is unlawful, unwise, unconstitutional discrimination.

The 2nd Amendment is CRYSTAL CLEAR "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed." The 2A does not have any exceptions. PERIOD. It doesn't say, except after a mass shooting. It doesn't say, ONLY inside your home or car. It says: "SHALL NOT BE INFRINGED." According to Blacks Law, 1st Edition 1891, the definition of infringement: "a breaking into; a trespass or encroachment upon; a violation of law, regulation, contract, or right." Anyone voting "yay" to INFRINGE upon the right to bear arms is "violating the law" and THAT is grounds for removal from office. Anyone not respecting the laws they are sworn to uphold, should be swiftly removed from sed office. The law function of law is not to REMOVE rights from law abiding citizens but MUST UPHOLD the unalienable rights of lawful citizens. This vote will reveal if you are a traitor to your "elected" position.

It is DISCRIMINATORY and unfair to remove the rights of law-abiding citizens due to the unlawful actions of criminals. PERIOD. The fact is that an armed citizenry is a true backstop to tyranny, an obstacle to total control over society by a small elite that seeks unbridled power. Will we ever have to use it? We hope not. Think of it as a fire extinguisher for fascism - better to have it lying around than not to have it when you need it. Our Founding Fathers knew this and wrote into law the inalienable rights provided by God, protecting our sovereignty over tyrannical forces. YOUR job as legislators is to PROTECT AND UPHOLD OUR INALIENABLE RIGHTS, spelled out in the Bill of Rights and our Constitution. The moment you FAIL your oath of duty, and become an oppressor, we can, and will, legally proceed to remove YOU FROM OFFICE FOR BREACH OF OATH/CONTRACT.

We respectfully hope that you will uphold your obligations of office, despite your political affiliations or personal preferences, and cast the only lawful, LEGAL vote on this matter: NO on AB 286.

Sincerely,

Concerned Nevada Citizens

Members of the Senate Judiciary Committee,

As drafted, AB 286 provides no means by which a Nevadan can comply and retain his or her legal property. Even with the new proposed ATF regulations on legal privately-made firearms (which were published on May 10, 2021), federal law does not provide a procedure by which a person can obtain a serial number for a legal privately-made firearm. Federal law only requires a person to obtain a license and serialize a firearm that is manufactured for sale, not for personal use (the new ATF regulations also recognize this aspect of the Gun Control Act of 1968). AB 286 requires that a federal licensee serialize the legal privately-made firearm, which is not possible as the federal licensee is not the manufacturer. So, the effect of AB 286 is to criminalize the possession of legal privately-made firearms made for personal use and firearms that are older than 1968 (as those aren't required to be serialized either), and to force the destruction of Nevadans' legal property. The impact on law-abiding Nevadans will be significant as AB 286 amounts to a de facto confiscation of legal property and deprives Nevadans of fundamental constitutional rights. In light of the foregoing issues (and others), the constitutionality of AB 286 is questionable at best and I'm sure will be challenged in court by national and state firearm rights advocates and groups.

Although the heritage of law-abiding and responsible firearm ownership in Nevada (and fundamental constitutional rights of Nevadans) should be respected and AB 286 should not be passed in any form, the following revisions would remedy at least the above issues with the current bill draft, and AB 286 should be amended at least to:

- 1) Allow for the engraving and serialization of the legal privately-made firearms by their owners (which would allow for tracing of the firearm by law enforcement);
- 2) Require serialization only to the extent required by federal law; and
- 3) Require serialization of unfinished frames and receivers and all firearms sold in Nevada after the effective date, and grandfather existing legal firearms.

The following are revisions to the current version of the bill to implement the above amendments.

Sec.3.

1. A person shall not possess, purchase, transport or receive an unfinished frame or receiver unless: (a) The person is a firearms importer or manufacturer; (b) The unfinished frame or receiver is required by federal law to be imprinted with a serial number issued by a firearms importer or manufacturer and the unfinished frame or receiver has been imprinted with the serial number *if so required; or (c) the person has caused the unfinished frame or receiver to be engraved with the person's name, city and state of manufacture, and a serial or other identifying number.*

2. A person who violates this section: (a) For the first offense, is guilty of a gross misdemeanor; and b) For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130.

Sec.4.

1. A person shall not manufacture or cause to be manufactured or assemble or cause to be assembled a firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer ~~in accordance with~~ to the extent required by federal law and any regulations adopted thereunder unless the firearm: (a)Has been rendered permanently inoperable; (b)Is an antique firearm or was manufactured or assembled prior to October 22, 1968; (c)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, or (d) the person has caused the firearm to be engraved with the person's name, city and state of manufacture, and a serial or other identifying number.

2. A person who violates this section: (a)For the first offense, is guilty of a gross misdemeanor; and (b)For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130.

3. As used in this section:(a)"Assemble" means to fit together component parts.(b)"Manufacture" means to fabricate, make, form, produce or construct by manual labor or machinery.

Sec.5.

1. A person shall not ~~possess~~, sell, offer to sell, transfer, purchase, ~~transport~~ or receive a firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer ~~in accordance with~~ to the extent required by federal law and any regulations adopted thereunder, or the person has caused the firearm to be engraved with the person's name, city and state of manufacture, and a serial or other identifying number, unless:

(a)The person is: (1)A law enforcement agency; or (2)A firearms importer or manufacturer; or (b)The firearm: (1)Has been rendered permanently inoperable; (2)Is an antique firearm or was manufactured or assembled prior to October 22, 1968; or (3)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.

2. A person who violates this section:(a) For the first offense, is guilty of a gross misdemeanor; and (b)For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130.

3. As used in this section, "law enforcement agency" has the meaning ascribed to it in NRS 239C.065.

I would hope that Nevadan's elected officials from both political parties would respect their oaths of office and the fundamental constitutional rights of their constituents, and vote against AB 286, especially in its current form.

Sincerely,

Brian Pick

May 11, 2021

Re: AB 286 Neutral Testimony

Greetings Chair Scheible and Members of the Committee:

My name is Athar Haseebullah and I serve as Executive Director of the ACLU of Nevada. While we stand in a neutral position regarding AB 286 as is currently presented, this bill previously contained a provision, removed via amendment, that would have required gaming establishments to call law enforcement on civilians in lawful possession of a firearm without any verbal warning. Should that language return, ACLU of Nevada will oppose this bill.

Constitutionality aside, and there are constitutional issues to be explored within that provision should it ever return, that provision posed numerous practical problems. That provision would have entrusted both casinos and law enforcement to simply be unbiased in enforcement. That provision would have increased dangerous, and potentially deadly, interactions between civilians, especially people of color, and law enforcement. That provision also would have created a pipeline for law enforcement to engage in stop-and-frisk in a state that permits CCWs.

When this body declared "racism a public health crisis" in response to nationwide and statewide protests against racial injustice in the summer of 2020, it was presumably done in part to prevent constant and dangerous interactions between law enforcement and communities of color. Creating new pipelines for these interactions undercuts that message. We are closely following this bill to ensure the aforementioned provision does not return.

Best,



Athar Haseebullah, Esq.
Executive Director



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EXHIBIT N	Senate Committee on Judiciary
Date: 5-11-2021	Total pages: 1
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APP 000690

**MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY**

**Eighty-first Session
May 12, 2021**

The Senate Committee on Judiciary was called to order by Chair Melanie Scheible at 11:02 a.m. on Wednesday, May 12, 2021, Online and in Room 2135 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Melanie Scheible, Chair
Senator Nicole J. Cannizzaro, Vice Chair
Senator James Ohrenschall
Senator Dallas Harris
Senator James A. Settelmeyer
Senator Ira Hansen
Senator Keith F. Pickard

GUEST LEGISLATORS PRESENT:

Senator Dina Neal, Senatorial District No. 4
Assemblyman Edgar Flores, Assembly District No. 28
Assemblyman Steve Yeager, Assembly District No. 9

STAFF MEMBERS PRESENT:

Patrick Guinan, Policy Analyst
Nicolas Anthony, Counsel
Pat Devereux, Committee Secretary

OTHERS PRESENT:

John Piro, Office of the Public Defender, Clark County
Kendra Bertschy, Office of the Public Defender, Washoe County
Jim Hoffman, Nevada Attorneys for Criminal Justice
Dani Baranowski, Vice President, Chamber of Cannabis
Shelby Stanley, Chamber of Cannabis
Tessa Laxalt, Nevada Trucking Association
Margaret Presley, Chamber of Cannabis

Senate Committee on Judiciary
May 12, 2021
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Scot Rutledge, Chamber of Cannabis
Nicole Buffong, Western Regional Director, Minorities for Medical Marijuana;
Chamber of Cannabis
Cristina Ulman, President, Chamber of Cannabis
Asia Duncan
John Jones, Nevada District Attorneys Association; Office of the District
Attorney, Clark County
Dwayne McCuiston, Fatal Detail, Las Vegas Metropolitan Police Department
Andrew MacKay, Executive Director, Nevada Franchised Auto Dealers
Association
Sean Sever, Deputy Administrator, Department of Motor Vehicles
Annette Magnus, Executive Director, Battle Born Progress
Christine Saunders, Progressive Leadership Alliance of Nevada
Joseph Lankowski
Holly Welborn, American Civil Liberties Union of Nevada
Jagada Chambers
Courtney Jones
Marcus Lopez, Americans for Prosperity Nevada
Leslie Turner
Keith Lee, Nevada Judges of Limited Jurisdiction
Stephen Bishop, Ely No. 1 Township Justice Court, White Pine County;
President, Nevada Judges of Limited Jurisdiction
Randall Soderquist, Elko Township Justice Court, Department A, Elko County;
Municipal Court Judge, Department A, City of Elko
Richard Glasson, Tahoe Township Justice Court, Douglas County
Jennifer Noble, Nevada District Attorneys Association
Kelly Crompton, City of Las Vegas
Jamie Rodriguez, Washoe County
Lori Matheus, Canal Township Justice Court, Lyon County; Senior Municipal
Court Judge, City of Fernley
Elizabeth Anderlik, Assistant City Attorney, City of Henderson
Mary Walker, Carson City, Douglas and Storey Counties
Lisa Chamlee, Pahrump Township Justice Court, Department A, Nye County
Marc Ebel, Aladdin Bail Bonds; Sureties Seaview
Chuck Callaway, Las Vegas Metropolitan Police Department
Eric Spratley, Executive Director, Nevada Sheriffs' and Chiefs' Association
Mike Cathcart, City of Henderson
Misti Grimmer, Nevada Resort Association
Corey Solferino, Washoe County Sheriff's Office

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May 12, 2021
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CHAIR SCHEIBLE:

We will close the work session on A.B. 158 and open the work session on A.B. 286.

ASSEMBLY BILL 286 (2nd Reprint): Prohibits certain acts relating to firearms.
(BDR 15-21)

MR. GUINAN:

As indicated in the work session document (Exhibit S), A.B. 286 restricts the manufacture, possession and purchase of firearms and unfinished frames or receivers not imprinted with a serial number. Penalties are provided for violating the restrictions; there are certain exceptions to the restrictions. There is a proposed amendment, Exhibit S, from Assemblywoman Sandra Jauregui. Chair Scheible was added as a bill cosponsor.

SENATOR HANSEN:

A ghost gun has never been used in the commission of a crime in Nevada. The bill raises constitutional issues; if anything, we always want to err on the side of constitutional protections. The annual Shot Show trade show, which brings an average \$275 million to the State, is threatening to leave Las Vegas. To antagonize such a profitable convention is a mistake. We heard testimony that felons are somehow going to use ghost guns. A 2016 Department of Justice report found of prisoners who possessed a gun during their offense, 90 percent did not obtain the gun from a retailer. The idea that, because of a background check, these guys are going to be denied buying a gun is ignoring reality. There is a tremendous firearms black market, especially by convicted felons.

Poor people can buy ghost guns. The typical cost of a handgun is about \$500; ghost guns cost a lot less. Residents of areas where police have been defunded feel more vulnerable. The bill would deny them the opportunity to legally purchase less expensive firearms. In the last year, gun sales have spiked, especially to women and the LGBTQ+ community. Assembly Bill 286 is a feel-good that will have limited—if any—impact on reducing crime or keeping guns out of the hands of felons. You can buy a \$20 grinder at The Home Depot to remove the serial number of any gun. Vote no on this bill to uphold our Second Amendment rights and our civil liberties.

SENATOR HARRIS:

Assemblywoman Jauregui's amendment would allow an incentive so people could get some value back on submitted firearms. If you grind off a gun's serial number, that is a federal crime. If we agree that is a crime, it should also be illegal to have a ghost gun without a serial number.

SENATOR PICKARD:

We heard a lot of testimony about underage people and felons buying parts for ghost guns. Would A.B. 286 make it illegal to sell ghost guns to such people? If not, why do we not try to nip that in the bud?

MR. ANTHONY:

There are penalties in NRS for selling firearms to minors and felons. The bill deals with gun parts that are not yet firearms.

SENATOR PICKARD:

Someone can take intermediate previously manufactured parts and fashion a firearm. If it is already illegal to provide guns or parts to fashion them to prohibited persons, why do we need the bill?

MS. MAGNUS:

Online businesses allow prohibited persons to buy gun parts with no questions asked through a loophole in Nevada law. If the resulting firearm lacks a serial number, buyers do not qualify for background checks and thus are not caught in illegal purchases.

SENATOR PICKARD:

Testifiers said you can obtain firearm parts without being subjected to a background check. However, firearms with lower receivers and frames with serial numbers do require a background check. The bill would make it impossible for law-abiding people to obtain the parts. We are shooting at the wrong target, not at people providing the parts and wherewithal to prohibited persons. The bill does not address that at all.

MS. MAGNUS:

I disagree. The bill would make it mandatory for lower receiver portions to have serial numbers. If online retailers are going to sell parts and pieces, serial numbers should be required. If you want to build a gun from parts bought on a website, it is not too much to require background checks, as per State law.

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SENATOR HARRIS MOVED TO AMEND AND DO PASS AS AMENDED
A.B. 286.

SENATOR OHRENSCHALL SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS HANSEN, PICKARD AND
SETTELMAYER VOTED NO.)

* * * * *

Remainder of page intentionally left blank; signature page to follow.

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CHAIR SCHEIBLE:

We will close the work session on A.B. 286. Seeing no more business before the Senate Committee on Judiciary, this meeting is adjourned at 3:11 p.m.

RESPECTFULLY SUBMITTED:

Pat Devereux,
Committee Secretary

APPROVED BY:

Senator Melanie Scheible, Chair

DATE: _____

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A.B. 158	R	1	Patrick Guinan	Work Session Document
<u>A.B. 286</u>	S	1	Patrick Guinan	Work Session Document

Senate Committee on Judiciary

This measure may be considered for action during today's work session.

ASSEMBLY BILL 286 (R2)

Prohibits certain acts relating to firearms. (BDR 15-21)

Sponsored By: Assemblywoman Jauregui
Date Heard: May 11, 2021
Fiscal Notes: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: Yes.

Assembly Bill 286 restricts the manufacture, possession, purchase, transfer, transportation, or sale of firearms and unfinished frames or receivers that have not been imprinted with a serial number in accordance with federal law and provides penalties for violating these restrictions. Exceptions are provided for certain firearms importers, manufacturers, and law enforcement agencies and for firearms that have been rendered inoperable or are antiques, collector's items, curios, or relics.

Amendments: Assemblywoman Jauregui proposes to amend the bill based on issues that were identified at the hearing on the bill. The amendment:

- Provides that a firearm manufactured before 1969 is not subject to the provisions contained in Section 5 of the bill;
- Clarifies that nothing in the bill prohibits the sale of an unfinished frame, receiver or firearm to an importer, manufacturer, or dealer licensed under federal law before January 1, 2022; and
- Adds Chair Scheible as a cosponsor of the bill.

(Reprinted with amendments adopted on April 20, 2021)

SECOND REPRINT

A.B. 286

ASSEMBLY BILL NO. 286—ASSEMBLYWOMAN JAUREGUI

MARCH 15, 2021

Referred to Committee on Judiciary

SUMMARY—Prohibits certain acts relating to firearms.
(BDR 15-21)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides
for Term of Imprisonment in County or City Jail or
Detention Facility.
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to crimes; prohibiting a person from engaging in
certain acts relating to unfinished frames or receivers
under certain circumstances; prohibiting a person from
engaging in certain acts relating to firearms which are not
imprinted with a serial number
under certain circumstances; providing penalties;
and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes various unlawful acts relating to firearms. (Chapter 202 of NRS) Sections 3-5 of this bill create additional unlawful acts relating to firearms.

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AB286_R2

Section 3 of this bill prohibits a person from possessing, purchasing, transporting or receiving an unfinished frame or receiver unless: (1) the person is a firearms importer or manufacturer; or (2) the unfinished frame or receiver is required to be, and has been, imprinted with a serial number. **Section 3** provides that a person who commits such an unlawful act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty of a category D felony.

Similarly, **section 3.5** of this bill prohibits a person from selling, offering to sell or transferring an unfinished frame or receiver unless: (1) the person is a firearms importer or manufacturer and the recipient of the unfinished frame or receiver is a firearms importer or manufacturer; or (2) the unfinished frame or receiver is required to be, and has been, imprinted with a serial number. **Section 3.5** provides that a person who commits such an unlawful act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty of a category D felony.

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AB286_R2

19 **Section 4** of this bill prohibits a person from manufacturing or causing to be 20
manufactured or assembling or causing to be assembled a firearm that is not
21 imprinted with a serial number issued by a firearms importer or manufacturer in
22 accordance with federal law and any regulations adopted thereunder unless the 23
firearm is: (1) rendered permanently inoperable; (2) an antique; or (3) a collector's
24 item, curio or relic. **Section 4** provides that a person who commits such an unlawful
25 act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second
26 or any subsequent offense, is guilty of a category D felony.

27 Similarly, **section 5** of this bill prohibits a person from possessing, selling, 28 offering
to sell, transferring, purchasing, transporting or receiving a firearm that is
29 not imprinted with a serial number issued by a firearms importer or manufacturer in 30
accordance with federal law and any regulations adopted thereunder unless: (1) the
31 person is a law enforcement agency or a firearms importer or manufacturer; or (2) 32
the firearm is rendered permanently inoperable or is an antique, collector's item, 33 curio
or relic. **Section 5** provides that a person who commits such an unlawful act: 34 (1) for the
first offense, is guilty of a gross misdemeanor; and (2) for the second or 35 any subsequent
offense, is guilty of a category D felony.

36 **Section 6** of this bill defines the terms "antique firearm," "firearms importer or
37 manufacturer" and "unfinished frame or receiver." **Section 7** of this bill makes a
38 conforming change relating to the new definitions.

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

1 **Section 1.** Chapter 202 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 5, inclusive, of this
3 act.
4 **Sec. 2.** (Deleted by amendment.)
5 **Sec. 3. 1. *A person shall not possess, purchase, transport or
receive an unfinished frame or receiver unless:***
7 ***(a) The person is a firearms importer or manufacturer; or***
8 ***(b) The unfinished frame or receiver is required by federal law***
9 ***to be imprinted with a serial number issued by a firearms***
10 ***importer or manufacturer and the unfinished frame or receiver has***
11 ***been imprinted with the serial number.***
12 **2. *A person who violates this section:***
13 ***(a) For the first offense, is guilty of a gross misdemeanor; and***

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14 ***(b) For the second or any subsequent offense, is guilty of a*** 15
 category D felony and shall be punished as provided in 16 ***NRS***
 193.130.

17 **Sec. 3.5. 1. A person shall not sell, offer to sell or transfer an**
unfinished frame or receiver unless:

19 ***(a) The person is:***

20 ***(1) A firearms importer or manufacturer; and***

(2) The recipient of the unfinished frame or receiver is a
firearms importer or
manufacturer; or

(b) The unfinished frame or
receiver is required by federal law
to be imprinted with a serial
number issued by an importer or

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manufacturer and the unfinished frame or receiver has been imprinted with the serial number. 2. A person who violates this section:

- (a) For the first offense, is guilty of a gross misdemeanor; and (b) For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130.*

Sec. 4. 1. *A person shall not manufacture or cause to be manufactured or assemble or cause to be assembled a firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer in accordance with federal law and any regulations adopted thereunder unless the firearm: (a) Has been rendered permanently inoperable;*

- (b) Is an antique firearm; or*
- (c) 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.

2. *A person who violates this section:*

(a) For the first offense, is guilty of a gross misdemeanor; and (b) For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130.

3. *As used in this section:*

(a) "Assemble" means to fit together component parts. (b) "Manufacture" means to fabricate, make, form, produce or construct by manual labor or machinery.

Sec. 5. 1. *A person shall not possess, sell, offer to sell, transfer, purchase, transport or receive a firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer in accordance with federal law and any regulations adopted thereunder unless:*

(a) The person is:

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(1) A law enforcement agency; or (2) A firearms importer or manufacturer; or (b) The firearm:

(1) Has been rendered permanently inoperable;

(2) Is an antique firearm;

~~(2)~~*(3) Was manufactured before 1969; or*

~~(3)~~*(4) 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.*

Commented [1]: This is to alleviate concerns about firearms manufactured before serialization was required under federal law.

Chapter 44.

2. A person who violates this section:

(a) For the first offense, is guilty of a gross misdemeanor; and (b) For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130.

3. As used in this section, "law enforcement agency" has the meaning ascribed to it in NRS 239C.065.

Sec. 6. NRS 202.253 is hereby amended to read as follows: 202.253 As used in NRS 202.253 to 202.369, inclusive ~~††~~, and sections 2 to 5, inclusive, of this act:

1. "Antique firearm" has the meaning ascribed to it in 18 U.S.C. § 921(a)(16).

2. "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-†~~ *3. "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-†~~ *4. "Firearm capable of being concealed upon the person" applies to and includes all firearms having a barrel less than 12 inches in length.*

~~†4-†~~ *5. "Firearms importer or manufacturer" means a person licensed to import or manufacture firearms pursuant to 18 U.S.C. Chapter 44.*

6. "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.

~~†5-†~~ *7. "Motor vehicle" means every vehicle that is selfpropelled.*

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~~6.1~~ 8. "Semiautomatic firearm" means any firearm that: (a) Uses a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next shell or round; (b) Requires a separate function of the trigger to fire each cartridge; and

(c) Is not a machine gun.

9. *"Unfinished frame or receiver" means a blank, a casting or a machined body that is intended to be turned into the frame or lower receiver of a firearm with additional machining and which has been formed or machined to the point at which most of the major machining operations have been completed to turn the blank, casting or machined body into a frame or lower receiver of a firearm even if the fire-control cavity area of the blank, casting or machined body is still completely solid and unmachined.*

Sec. 7. NRS 202.2548 is hereby amended to read as follows:

202.2548 The provisions of NRS 202.2547 do not apply to:

1. The sale or transfer of a firearm by or to any law enforcement agency and, to the extent he or she is acting within the course and scope of his or her employment and official duties, any peace officer, security guard entitled to carry a firearm under NAC 648.345, member of the armed forces or federal official.

2. The sale or transfer of an antique firearm . ~~as defined in 18 U.S.C. § 921(a)(16).~~

3. The sale or transfer of a firearm between immediate family members, which for the purposes of this section means spouses and domestic partners and any of the following relations, whether by whole or half blood, adoption, or step-relation: parents, children, siblings, grandparents, grandchildren, aunts, uncles, nieces and nephews.

4. The transfer of a firearm to an executor, administrator, trustee or personal representative of an estate or a trust that occurs by operation of law upon the death of the former owner of the firearm.

5. A temporary transfer of a firearm to a person who is not prohibited from buying or possessing firearms under state or federal law if such transfer:

(a) Is necessary to prevent imminent death or great bodily harm; and

- *AB286_R2*

(b) Lasts only as long as immediately necessary to prevent such imminent death or great bodily harm. 6. A temporary transfer of a firearm if:

(a) The transferor has no reason to believe that the transferee is prohibited from buying or possessing firearms under state or federal law;

(b) The transferor has no reason to believe that the transferee will use or intends to use the firearm in the commission of a crime; and

(c) Such transfer occurs and the transferee's possession of the firearm following the transfer is exclusively:

(1) At an established shooting range authorized by the governing body of the jurisdiction in which such range is located; (2) At a lawful organized competition involving the use of a firearm;

(3) While participating in or practicing for a performance by an organized group that uses firearms as a part of the public performance;

(4) While hunting or trapping if the hunting or trapping is legal in all places where the transferee possesses the firearm and the transferee holds all licenses or permits required for such hunting or trapping; or

(5) While in the presence of the transferor.

Sec. 8. Nothing in this Act shall prohibit the sale of an unfinished frame or receiver or firearm to a firearms importer or manufacturer, or a firearms dealer licensed pursuant to 18 U.S.C. Chapter 44 before January 1, 2022. ~~(Deleted by amendment.)~~

Sec. 9. (Deleted by amendment.)

Commented [2]: This is to ensure that those in possession of an unserialized firearm or frame/receiver have time and ability to sell their parts to federally licensed firearms dealers.

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AB286_R2

1 **Sec. 10.** 1. This section and sections 1, 2, and 3.5 to ~~4, inclusive, and~~
2 ~~6-2 to 9~~, inclusive, of this act become effective upon passage and
3 approval.

4 2. Sections s 3 and 5 of this act becomes effective on January 1,
5 2022.

Commented [3]: This addition will allow those in possession of an unserialized firearm or frame/reciever have until January 1, 2022 to sell or dispose of them.

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AB286_R2

**MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY**

**Eighty-first Session
May 13, 2021**

The Senate Committee on Judiciary was called to order by Chair Melanie Scheible at 1:02 p.m. on Thursday, May 13, 2021, Online and in Room 2135 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Melanie Scheible, Chair
Senator Nicole J. Cannizzaro, Vice Chair
Senator James Ohrenschall
Senator Dallas Harris
Senator James A. Settelmeyer
Senator Ira Hansen
Senator Keith F. Pickard

GUEST LEGISLATORS PRESENT:

Assemblywoman Cecelia González (Assembly District No. 16)

STAFF MEMBERS PRESENT:

Patrick Guinan, Policy Analyst
Nicolas Anthony, Counsel
Pam King, Committee Secretary

OTHERS PRESENT:

Jensie Anderson, Legal Director, Rocky Mountain Innocence Center
Jennifer Noble, Nevada District Attorneys' Association
Jim Sullivan, Culinary Workers Union Local 226
Kendra Bertschy, Washoe County Public Defender's Office
John Piro, Clark County Public Defender's Office
Christine Saunders, Progressive Leadership Alliance of Nevada
Tonja Brown, Advocates for the Inmates and the Innocent
Nicholas Shepack, American Civil Liberties Union of Nevada

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Jim Hoffman, Nevada Attorneys for Criminal Justice
Annemarie Grant
Matthew Wilkie
Nathaniel Erb, National Innocence Project
Taylor Patterson, Native Voters Alliance of Nevada
Yesenia Moya
Erika Minaberry
Jainee Shepler
Mary Gilbert
Laura Martin, Progressive Leadership Alliance of Nevada
Holly Welborn, American Civil Liberties Union of Nevada
Jameelah Lewis
Courtney Jones
Micajah Daniels, Black Lives Matter, University of Nevada, Las Vegas
Enzer Austin III
Akiko Cooks, Mass Liberation Project

CHAIR SCHEIBLE:

We will start with the hearing on Assembly Bill (A.B.) 201.

ASSEMBLY BILL 201 (1st Reprint): Revises provisions relating to informants.
(BDR 14-777)

ASSEMBLYWOMAN CECELIA GONZÁLEZ (Assembly District No. 16):

I am here to present A.B. 201. I have provided a proposed conceptual amendment (Exhibit B).

With me today online is Jensie Anderson, the Legal Director of the Rocky Mountain Innocence Center.

Last Session, this Body passed A.B. No. 267 of the 80th Session, which compensated people who are wrongfully convicted. When DeMarlo Berry went to prison in 1994 for a murder he did not commit, it was a jailhouse informant who was an incriminating witness. Based on the informant's testimony, Mr. Berry was convicted and sentenced to life in prison.

However, in 2014, the informant admitted that he lied and received benefits for his testimony. Testimony from jailhouse informants is one of the leading

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CHAIR SCHEIBLE:
This brings us to A.B. 182.

MR. GUINAN:
Assembly Bill 182, sponsored by Assemblywoman Jill Tolles and others, was heard in Committee on May 10 as referenced in the work session document ([Exhibit G](#)).

ASSEMBLY BILL 182 (1st Reprint): Revises the elements of the crime of advancing prostitution. (BDR 15-744)

CHAIR SCHEIBLE:
Any questions? I would accept a motion to amend and do pass.

SENATOR PICKARD MOVED TO AMEND AND DO PASS AS AMENDED
A.B. 182.

SENATOR HANSEN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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MR. PIRO:
As we know, sometimes things "die on the altar" close to deadline day. As we have been informed, there will be no route to successfully move forward with A.B. 395, even if amended.

ASSEMBLY BILL 395 (1st Reprint): Abolishes capital punishment. (BDR 15-580)

I wish we lived in a world where people did not harm each other, but sadly we are not there. As a public defender, every day I am confronted with the question of how our society punishes the most broken among us. Without a doubt, people who have harmed another person should be held accountable, but this accountability must be fair. The true question is not whether a person deserves to die, but whether we as a society, deserve to kill them. To answer this question, we have to take a look at a few hard truths because truth and reconciliation are sequential, and you cannot have reconciliation without the truth first.

JAINEE SHEPLER:

I would like to start off by saying that I am disgusted with this Committee passing A.B. 286. I think you guys need the consent of the Governor and you should put it on the ballot; but of course, you do not care what any of us think. I heard you guys discussing A.B. 400 and A.B. 424. You seemed very concerned with the constitutional rights and liberties of criminals. When discussing A.B. 400, someone said that just having marijuana in your system does not mean you are guilty. The same goes with A.B. 286, just having homebuilt fire arms does not make you guilty.

[ASSEMBLY BILL 286 \(1st Reprint\)](#): Prohibits certain acts relating to firearms.
(BDR 15-21)

[ASSEMBLY BILL 400 \(1st Reprint\)](#): Revises provisions relating to prohibited acts concerning the use of marijuana and certain other controlled substances.
(BDR 43-485)

[ASSEMBLY BILL 424 \(1st Reprint\)](#): Revises provisions relating to pretrial release. (BDR 14-374)

Senator Harris, when presenting A.B. 424, stated it is not always easy letting people have their liberties. She was right. Maybe this makes some of you uncomfortable, but it is our constitutional right.

Legislation should not be born out of emotion and fear but based on facts. In a state with the strictest laws are the highest gun crime rates. In a city where there are gun laws, some crime rates have gone down. I was involved in an active shooter situation, so I know what chaos and horror feels like. Someone was also shot in my front yard.

One thing I had to come to grips with and realize was it was not the fault of the gun or the gun manufacturers, it was purely the person behind the act. When someone sets out to kill others, the person finds a way to do it. If it is not a gun, it will be a car, explosive device, knife or some other weapon.

I heard a lot of talking of ending gun violence. Gun violence and violence will never end. It has been going on since the beginning of time because some people are born bad.

Some of the people on this Committee have stereotyped those who make guns as criminals and extremists, and that is not true. It is not easy or cheap to build a gun at home. It requires much more than just parts. It requires expensive machinery to make the firearm, lots of patience and time.

As Martin Luther King said in 1963, one has not only a legal but a moral responsibility to obey just laws. Conversely, one has a moral responsibility to disobey unjust laws.

MS. GRANT:

My brother was murdered by police in a mental health crisis. I had put in a public record request with the Washoe County District Attorney's Office. What I got out of that request was a dog and pony show. Since their inception in 2018, District Attorney Jennifer Noble testified to Assembly Judiciary 2017 regarding the Conviction Integrity Committee Unit. We need legislative and mandated reviews.

MARY GILBERT:

I am here to echo what you have been already hearing, the death penalty is a continuation of the American tradition of lynching. Every man should be given a hearing, and I also ask why none of you have the courage to do what is right? You have so much power in your positions. Use your power to command a hearing.

I also find it cowardly that no one would express solidarity with the Palestinians who are currently being exterminated. Please do better.

LAURA MARTIN (Progressive Leadership Alliance of Nevada):

I want to point out that in my home state of Colorado, all the Democrats who voted for repealing the death penalty were all reelected. I say that because it seems that sometimes a lot of these decisions are tough ones that we have to make are held hostage by people's political careers. We really have to ask ourselves if we want to be a State that kills people, or be responsible for the death of people who cause harm to the community instead of doing the tough work in getting to the root causes of why this happened in our State.

We have the death penalty now. It has not stopped anyone from being murdered. It still continues. The Nevada Coalition Against the Death Penalty have been doing this hard work for over 20 years, and they are members of our

NEVADA LEGISLATURE

81st Session, 2021

SENATE DAILY JOURNAL

THE ONE HUNDRED AND SEVENTH DAY

CARSON CITY (Tuesday), May 18, 2021

Senate called to order at 2:07 p.m.

President Marshall presiding.

Roll called.

All present except Senator Hansen, who was excused.

Prayer by the Chaplain, Reverend JJ Tuttle.

The Earth is the Lord's and the fullness thereof, the world and all who live therein. Holy God, You founded it on the seas and established it on the waters. Creator of the Earth and skies, to whom all truth and power belong, we ascend our prayers to You. We are humbled to stand in Your presence. Redeem us that we would be given clean hands and pure hearts, trusting not in idols of our own making, nor swearing to gods who seek to deceive.

Give us Your blessings, O Lord. Make things right, O God, our Savior. May ours be the generation that seeks You. Then may we find You in our work, in our living and in our world.

In Your sovereign Name, we pray.

AMEN.

Pledge of Allegiance to the Flag.

By previous order of the Senate, the reading of the Journal is dispensed with, and the President and Secretary are authorized to make the necessary corrections and additions.

REPORTS OF COMMITTEE

Madam President:

Your Committee on Education, to which was referred Senate Bill No. 446, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Education, to which were referred Assembly Bills Nos. 57, 67, 195, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MOISES DENIS, *Chair*

Madam President:

Your Committee on Finance, to which was referred Senate Bill No. 377, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CHRIS BROOKS, *Chair*

(6) Wind.

↳ The term does not include coal, natural gas, oil, propane or any other fossil fuel, or nuclear energy.

(c) “Retrofit” means to alter, improve, modify, remodel or renovate a building, facility or structure to make that building, facility or structure more energy-efficient.

Section 14.7 of chapter 487, Statutes of Nevada 2013:

Sec. 14.7. NRS 338.169, 338.1691, 338.1692, 338.1693, 338.16935, 338.1696, 338.1697, 338.1698, 338.16985, 338.16991 and 338.16995 are hereby repealed.

Senator Dondero Loop moved the adoption of the amendment.

Remarks by Senator Dondero Loop.

Amendment No. 650 to Assembly Bill No. 410 changes, from five years to four years, the period of time a Construction Manager At Risk must wait before entering into a contract with a public body after acting as a Construction Manager As Agent.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEE

Madam President:

Your Committee on Education, to which was referred Assembly Bill No. 266, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MOISES DENIS, *Chair*

Madam President:

Your Committee on Finance, to which were re-referred Senate Bills Nos. 100, 205, 278, 291, 318, 380, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass as amended.

CHRIS BROOKS, *Chair*

Madam President:

Your Committee on Growth and Infrastructure, to which was referred Assembly Bill No. 301, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DALLAS HARRIS, *Chair*

Madam President:

Your Committee on Judiciary, to which was referred Senate Bill No. 437, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Judiciary, to which was referred Assembly Bill No. 286, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MELANIE SCHEIBLE, *Chair*

INTRODUCTION, FIRST READING AND REFERENCE

By Senator Cannizzaro (emergency request of Senate Majority Leader):

Senate Bill No. 452—AN ACT relating to crimes; prohibiting a person from possessing a firearm on a covered premises under certain circumstances; revising provisions relating to the confiscation and disposal of dangerous weapons; providing a penalty; and providing other matters properly relating thereto.

criteria for which the additional weight should be awarded. It applies these changes to evaluations of the performance of teachers during the 2021-2022 school year and each subsequent school year. It revises the effective date of the bill.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 286.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:
Amendment No. 543.

SUMMARY—Prohibits certain acts relating to firearms. (BDR 15-21)

AN ACT relating to crimes; prohibiting a person from engaging in certain acts relating to unfinished frames or receivers under certain circumstances; prohibiting a person from engaging in certain acts relating to firearms which are not imprinted with a serial number under certain circumstances; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes various unlawful acts relating to firearms. (Chapter 202 of NRS) Sections 3-5 of this bill create additional unlawful acts relating to firearms.

Section 3 of this bill prohibits a person from possessing, purchasing, transporting or receiving an unfinished frame or receiver unless: (1) the person is a firearms importer or manufacturer; or (2) the unfinished frame or receiver is required to be, and has been, imprinted with a serial number. Section 3 provides that a person who commits such an unlawful act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty of a category D felony.

Similarly, section 3.5 of this bill prohibits a person from selling, offering to sell or transferring an unfinished frame or receiver unless: (1) the person is a firearms importer or manufacturer and the recipient of the unfinished frame or receiver is a firearms importer or manufacturer; or (2) the unfinished frame or receiver is required to be, and has been, imprinted with a serial number. Section 3.5 provides that a person who commits such an unlawful act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty of a category D felony.

Section 4 of this bill prohibits a person from manufacturing or causing to be manufactured or assembling or causing to be assembled a firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer in accordance with federal law and any regulations adopted thereunder unless the firearm is: (1) rendered permanently inoperable; (2) an antique; or (3) a collector's item, curio or relic. Section 4 provides that a person who commits such an unlawful act: (1) for the first offense, is guilty of a gross misdemeanor; and (2) for the second or any subsequent offense, is guilty of a category D felony.