

ASSEMBLY BILL NO. 396—COMMITTEE ON JUDICIARY

MARCH 24, 2021

Referred to Committee on Judiciary

SUMMARY—Makes various changes relating to the use of deadly force. (BDR 15-1042)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to peace officers; revising provisions relating to the use of deadly force to effectuate an arrest; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes an officer, if necessary to prevent the escape of a
2 person and after giving a warning, if feasible, to use deadly force to effectuate the
3 arrest of the person if there is probable cause to believe that the person: (1) has
4 committed a felony involving the infliction or threat of serious bodily harm or the
5 use of deadly force; or (2) poses a threat of serious bodily harm to the officer or
6 others. (NRS 171.1455) **Section 2** of this bill: (1) limits the persons authorized to
7 use deadly force to effectuate an arrest to a peace officer, rather than an officer; and
8 (2) requires that for deadly force to be used, the threat of serious bodily harm must
9 be imminent.

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

1 **Section 1.** (Deleted by amendment.)
2 **Sec. 2.** NRS 171.1455 is hereby amended to read as follows:
3 171.1455 If necessary to prevent escape, ~~an~~ *a peace* officer
4 may, after giving a warning, if feasible, use deadly force to effect
5 the arrest of a person only if there is probable cause to believe that
6 the person:
7 1. Has committed a felony which involves the infliction or
8 threat of serious bodily harm or the use of deadly force; or
9 2. Poses ~~a~~ *an imminent* threat of serious bodily harm to the
10 *peace* officer or to others.



1 **Sec. 3.** This act becomes effective on July 1, 2021.

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