

Assembly Bill No. 396—Committee on Judiciary

CHAPTER.....

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:**

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

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

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

**Section 1.** (Deleted by amendment.)

**Sec. 2.** NRS 171.1455 is hereby amended to read as follows:

171.1455 If necessary to prevent escape, ~~an~~ *a peace* officer may, after giving a warning, if feasible, use deadly force to effect the arrest of a person only if there is probable cause to believe that the person:

1. Has committed a felony which involves the infliction or threat of serious bodily harm or the use of deadly force; or
2. Poses ~~a~~ *an imminent* threat of serious bodily harm to the *peace* officer or to others.

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

