

ASSEMBLY BILL NO. 410—ASSEMBLYMEMBERS GRAY;
COLE, EDGEWORTH, GURR AND KOENIG

MARCH 12, 2025

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to the crime of assault.
(BDR 15-832)

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 crimes; revising provisions relating to the crime
of assault; providing a penalty; and providing other
matters properly relating thereto.

Legislative Counsel's Digest:

Existing law defines the crime of assault as: (1) unlawfully attempting to use physical force against another person; or (2) intentionally placing another person in reasonable apprehension of immediate bodily harm. (NRS 200.471) This bill revises the definition of the crime of assault to clarify that intentionally placing another person in reasonable apprehension of immediate bodily harm includes, without limitation, making a threat of sexual violence against another person.

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

Section 1. NRS 200.471 is hereby amended to read as follows:
200.471 1. As used in this section:

(a) "Assault" means:

(1) Unlawfully attempting to use physical force against
another person; or

(2) Intentionally placing another person in reasonable
apprehension of immediate bodily harm [1], *including, without
limitation, making a threat of sexual violence against another
person. As used in this subparagraph, "threat of sexual violence"
means an oral or written threat to commit a sexual offense, as
defined in NRS 179D.097, against another person.*



(b) "Fire-fighting agency" has the meaning ascribed to it in NRS 239B.020.

(c) "Health care facility" means a facility licensed pursuant to chapter 449 of NRS, an office of a person listed in NRS 629.031, a clinic or any other location, other than a residence, where health care is provided.

(d) "Officer" means:

(1) A person who possesses some or all of the powers of a peace officer;

(2) A person employed in a full-time salaried occupation of fire fighting for the benefit or safety of the public;

(3) A member of a volunteer fire department;

(4) A jailer, guard or other correctional officer of a city or county jail;

(5) A prosecuting attorney of an agency or political subdivision of the United States or of this State;

(6) A justice of the Supreme Court, judge of the Court of Appeals, district judge, justice of the peace, municipal judge, magistrate, court commissioner, master or referee, including a person acting pro tempore in a capacity listed in this subparagraph;

(7) An employee of this State or a political subdivision of this State whose official duties require the employee to make home visits;

(8) A civilian employee or a volunteer of a law enforcement agency whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to law enforcement; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the law enforcement agency;

(9) A civilian employee or a volunteer of a fire-fighting agency whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to fire fighting or fire prevention; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the fire-fighting agency; or

(10) A civilian employee or volunteer of this State or a political subdivision of this State whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to code enforcement; and



(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for this State or a political subdivision of this State.

(e) "Provider of health care" means:

(1) A physician, a medical student, a perfusionist, an anesthesiologist assistant or a physician assistant licensed pursuant to chapter 630 of NRS, a practitioner of respiratory care, a homeopathic physician, an advanced practitioner of homeopathy, a homeopathic assistant, an osteopathic physician, a physician assistant or anesthesiologist assistant licensed pursuant to chapter 633 of NRS, a podiatric physician, a podiatry hygienist, a physical therapist, a medical laboratory technician, an optometrist, a chiropractic physician, a chiropractic assistant, a naprapath, a doctor of Oriental medicine, a nurse, a student nurse, a certified nursing assistant, a nursing assistant trainee, a medication aide - certified, a person who provides health care services in the home for compensation, a dentist, a dental student, a dental hygienist, a dental hygienist student, an expanded function dental assistant, an expanded function dental assistant student, a pharmacist, a pharmacy student, an intern pharmacist, an attendant on an ambulance or air ambulance, a psychologist, a social worker, a marriage and family therapist, a marriage and family therapist intern, a clinical professional counselor, a clinical professional counselor intern, a behavior analyst, an assistant behavior analyst, a registered behavior technician, a mental health technician, a licensed dietitian, the holder of a license or a limited license issued under the provisions of chapter 653 of NRS, a public safety officer at a health care facility, an emergency medical technician, an advanced emergency medical technician, a paramedic or a participant in a program of training to provide emergency medical services; or

(2) An employee of or volunteer for a health care facility who:

(I) Interacts with the public;

(II) Performs tasks related to providing health care; and

(III) Wears identification, clothing or a uniform that identifies the person as an employee or volunteer of the health care facility.

(f) "School employee" means a licensed or unlicensed person employed by a board of trustees of a school district pursuant to NRS 391.100 or 391.281.

(g) "Sporting event" has the meaning ascribed to it in NRS 41.630.

(h) "Sports official" has the meaning ascribed to it in NRS 41.630.

(i) "Taxicab" has the meaning ascribed to it in NRS 706.8816.



1 (j) "Taxicab driver" means a person who operates a taxicab.

2 (k) "Transit operator" means a person who operates a bus or
3 other vehicle as part of a public mass transportation system.

4 (l) "Utility worker" means an employee of a public utility as
5 defined in NRS 704.020 whose official duties require the employee
6 to:

7 (1) Interact with the public;

8 (2) Perform tasks related to the operation of the public
9 utility; and

10 (3) Wear identification, clothing or a uniform that identifies
11 the employee as working for the public utility.

12 2. A person convicted of an assault shall be punished:

13 (a) If paragraph (c) or (d) does not apply to the circumstances of
14 the crime and the assault is not made with the use of a deadly
15 weapon or the present ability to use a deadly weapon, for a
16 misdemeanor.

17 (b) If the assault is made with the use of a deadly weapon or the
18 present ability to use a deadly weapon, for a category B felony by
19 imprisonment in the state prison for a minimum term of not less
20 than 1 year and a maximum term of not more than 6 years, or by a
21 fine of not more than \$5,000, or by both fine and imprisonment.

22 (c) If paragraph (d) does not apply to the circumstances of the
23 crime and if the assault:

24 (1) Is committed upon:

25 (I) An officer, a school employee, a taxicab driver, a
26 transit operator or a utility worker who is performing his or her
27 duty;

28 (II) A provider of health care while the provider of health
29 care is performing his or her duty or is on the premises where he or
30 she performs that duty; or

31 (III) A sports official based on the performance of his or
32 her duties at a sporting event; and

33 (2) The person charged knew or should have known that the
34 victim was an officer, a provider of health care, a school employee,
35 a taxicab driver, a transit operator, a utility worker or a sports
36 official,

37 ➤ for a gross misdemeanor, unless the assault is made with the use
38 of a deadly weapon or the present ability to use a deadly weapon,
39 then for a category B felony by imprisonment in the state prison for
40 a minimum term of not less than 1 year and a maximum term of not
41 more than 6 years, or by a fine of not more than \$5,000, or by both
42 fine and imprisonment.

43 (d) If the assault:

44 (1) Is committed by a probationer, a prisoner who is in
45 lawful custody or confinement or a parolee upon:



1 (I) An officer, a school employee, a taxicab driver, a
2 transit operator or a utility worker who is performing his or her
3 duty;

4 (II) A provider of health care while the provider of health
5 care is performing his or her duty or is on the premises where he or
6 she performs that duty; or

7 (III) A sports official based on the performance of his or
8 her duties at a sporting event; and

9 (2) The probationer, prisoner or parolee charged knew or
10 should have known that the victim was an officer, a provider of
11 health care, a school employee, a taxicab driver, a transit operator, a
12 utility worker or a sports official,

13 ➤ for a category D felony as provided in NRS 193.130, unless the
14 assault is made with the use of a deadly weapon or the present
15 ability to use a deadly weapon, then for a category B felony by
16 imprisonment in the state prison for a minimum term of not less
17 than 1 year and a maximum term of not more than 6 years, or by a
18 fine of not more than \$5,000, or by both fine and imprisonment.



