

SENATE BILL NO. 176—SENATOR GUSTAVSON

FEBRUARY 17, 2011

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing concealed firearms.  
(BDR 15-556)

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 concealed firearms; removing the prohibition against carrying a concealed firearm; repealing all provisions governing permits to carry concealed firearms; deleting certain provisions relating to the registration of firearms capable of being concealed; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law prohibits a person from carrying certain concealed weapons,  
2 including firearms, without a permit. (NRS 202.350, 202.3653-202.369) **Section 2**  
3 of this bill removes firearms from the list of weapons which a person is prohibited  
4 from carrying in a concealed manner, and **section 10** of this bill repeals all  
5 provisions governing permits to carry concealed firearms.

6 Existing law also requires certain political subdivisions of this State in a county  
7 whose population is 400,000 or more (currently Clark County), which adopted  
8 ordinances or regulations before June 13, 1989, that require the registration of  
9 firearms capable of being concealed, to make certain amendments to such  
10 registration provisions. (NRS 244.364, 268.418, 269.222) **Sections 6, 7 and 8** of  
11 this bill delete the provisions requiring certain political subdivisions of this State to  
12 make such amendments.

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

1 **Section 1.** NRS 202.253 is hereby amended to read as follows:  
2 202.253 As used in NRS 202.253 to ~~202.369,~~ **202.362,**  
3 inclusive:



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

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

8 3. "Firearm capable of being concealed upon the person"  
9 applies to and includes all firearms having a barrel less than 12  
10 inches in length.

11 4. "Motor vehicle" means every vehicle that is self-propelled.

12 **Sec. 2.** NRS 202.350 is hereby amended to read as follows:

13 202.350 1. Except as otherwise provided in this section and  
14 NRS 202.355 ~~[and 202.3653 to 202.369, inclusive,]~~, *or by specific*  
15 *statute*, a person within this State shall not:

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

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

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

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

28 (1) Explosive substance, other than ammunition or any  
29 components thereof;

30 (2) Dirk, dagger or machete;

31 (3) ~~[Pistol, revolver or other firearm, or other dangerous]~~  
32 *Dangerous* or deadly weapon ~~[;]~~, *other than a pistol, revolver or*  
33 *other firearm;* or

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

35 2. Except as otherwise provided in NRS 202.275 and 212.185,  
36 a person who violates any of the provisions of:

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

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

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

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



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

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

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

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

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

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

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

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

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

37 8. As used in this section:

38 (a) "Concealed weapon" means a weapon described in this  
39 section that is carried upon a person in such a manner as not to be  
40 discernible by ordinary observation.

41 (b) "Honorably retired" means retired in Nevada after  
42 completion of 10 years of creditable service as a member of the  
43 Public Employees' Retirement System. A former peace officer is  
44 not "honorably retired" if he or she was discharged for cause or



1 resigned before the final disposition of allegations of serious  
2 misconduct.

3 (c) "Machine gun" means any weapon which shoots, is designed  
4 to shoot or can be readily restored to shoot more than one shot,  
5 without manual reloading, by a single function of the trigger.

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

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

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

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

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

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

29 **Sec. 3.** NRS 33.018 is hereby amended to read as follows:

30 33.018 1. Domestic violence occurs when a person commits  
31 one of the following acts against or upon the person's spouse or  
32 former spouse, any other person to whom the person is related by  
33 blood or marriage, any other person with whom the person is or was  
34 actually residing, any other person with whom the person has had or  
35 is having a dating relationship, any other person with whom the  
36 person has a child in common, the minor child of any of those  
37 persons, the person's minor child or any other person who has been  
38 appointed the custodian or legal guardian for the person's minor  
39 child:

40 (a) A battery.

41 (b) An assault.

42 (c) Compelling the other person by force or threat of force to  
43 perform an act from which the other person has the right to refrain  
44 or to refrain from an act which the other person has the right to  
45 perform.



- 1 (d) A sexual assault.
- 2 (e) A knowing, purposeful or reckless course of conduct
- 3 intended to harass the other person. Such conduct may include, but
- 4 is not limited to:
  - 5 (1) Stalking.
  - 6 (2) Arson.
  - 7 (3) Trespassing.
  - 8 (4) Larceny.
  - 9 (5) Destruction of private property.
  - 10 (6) ~~Carrying~~ *Unlawfully carrying* a concealed weapon
  - 11 without a permit.
  - 12 (7) Injuring or killing an animal.
- 13 (f) A false imprisonment.
- 14 (g) Unlawful entry of the other person's residence, or forcible
- 15 entry against the other person's will if there is a reasonably
- 16 foreseeable risk of harm to the other person from the entry.

17 2. As used in this section, "dating relationship" means

18 frequent, intimate associations primarily characterized by the

19 expectation of affectional or sexual involvement. The term does not

20 include a casual relationship or an ordinary association between

21 persons in a business or social context.

22 **Sec. 4.** NRS 171.1225 is hereby amended to read as follows:

23 171.1225 1. When investigating an act of domestic violence,

24 a peace officer shall:

25 (a) Make a good faith effort to explain the provisions of NRS

26 171.137 pertaining to domestic violence and advise victims of all

27 reasonable means to prevent further abuse, including advising each

28 person of the availability of a shelter or other services in the

29 community.

30 (b) Provide a person suspected of being the victim of an act of

31 domestic violence with a written copy of the following statements:

32 (1) My name is officer ..... (naming the

33 investigating officer). Nevada law requires me to inform you of the

34 following information.

35 (2) If I have probable cause to believe that a battery has been

36 committed against you, your minor child or the minor child of the

37 person believed to have committed the battery in the last 24 hours

38 by your spouse, your former spouse, any other person to whom you

39 are related by blood or marriage, a person with whom you are or

40 were actually residing, a person with whom you have had or are

41 having a dating relationship or a person with whom you have a child

42 in common, I am required, unless mitigating circumstances exist, to

43 arrest the person suspected of committing the act.

44 (3) If I am unable to arrest the person suspected of

45 committing the battery, you have the right to request that the



1 prosecutor file a criminal complaint against the person. I can  
2 provide you with information on this procedure. If convicted, the  
3 person who committed the battery may be placed on probation,  
4 ordered to see a counselor, put in jail or fined.

5 (4) The law provides that you may seek a court order for the  
6 protection of you or your minor children against further threats or  
7 acts of domestic violence. You do not need to hire a lawyer to  
8 obtain such an order for protection.

9 (5) An order for protection may require the person who  
10 committed or threatened the act of domestic violence against you to:

11 (I) Stop threatening, harassing or injuring you or your  
12 children;

13 (II) Move out of your residence;

14 (III) Stay away from your place of employment;

15 (IV) Stay away from the school attended by your  
16 children;

17 (V) Stay away from any place you or your children  
18 regularly go; and

19 (VI) Avoid or limit all communication with you or your  
20 children.

21 (6) A court may make future orders for protection which  
22 award you custody of your children and require the person who  
23 committed or threatened the act of domestic violence against you to  
24 pay:

25 (I) The rent or mortgage due on the place in which you  
26 live;

27 (II) The amount of money necessary for the support of  
28 your children; and

29 (III) Part or all of the costs incurred by you in obtaining  
30 the order for protection.

31 (7) To get an order for protection, go to room number .....  
32 (state the room number of the office at the court) at the court, which  
33 is located at ..... (state the address of the court). Ask the  
34 clerk of the court to provide you with the forms for an order of  
35 protection.

36 (8) If the person who committed or threatened the act of  
37 domestic violence against you violates the terms of an order for  
38 protection, the person may be arrested and, if:

39 (I) The arresting officer determines that such a violation  
40 is accompanied by a direct or indirect threat of harm;

41 (II) The person has previously violated a temporary or  
42 extended order for protection; or

43 (III) At the time of the violation or within 2 hours after  
44 the violation, the person has a concentration of alcohol of 0.08 or  
45 more in the person's blood or breath or an amount of a prohibited



1 substance in the person's blood or urine that is equal to or greater  
2 than the amount set forth in subsection 3 of NRS 484C.110,  
3 ➔ the person will not be admitted to bail sooner than 12 hours after  
4 arrest.

5 (9) You may obtain emergency assistance or shelter by  
6 contacting your local program against domestic violence at  
7 ..... (state name, address and telephone number of local  
8 program) or you may call, without charge to you, the Statewide  
9 Program Against Domestic Violence at ..... (state toll-  
10 free telephone number of Statewide Program).

11 2. As used in this section, "act of domestic violence" means  
12 any of the following acts committed by a person against his or her  
13 spouse, former spouse, any other person to whom he or she is  
14 related by blood or marriage, a person with whom he or she is or  
15 was actually residing, a person with whom he or she has had or is  
16 having a dating relationship, a person with whom he or she has a  
17 child in common, the minor child of any of those persons or his or  
18 her minor child:

19 (a) A battery.

20 (b) An assault.

21 (c) Compelling the other by force or threat of force to perform  
22 an act from which he or she has the right to refrain or to refrain from  
23 an act which he or she has the right to perform.

24 (d) A sexual assault.

25 (e) A knowing, purposeful or reckless course of conduct  
26 intended to harass the other. Such conduct may include, but is not  
27 limited to:

28 (1) Stalking.

29 (2) Arson.

30 (3) Trespassing.

31 (4) Larceny.

32 (5) Destruction of private property.

33 (6) ~~Carrying~~ **Unlawfully carrying** a concealed weapon  
34 without a permit.

35 (f) False imprisonment.

36 (g) Unlawful entry of the other's residence, or forcible entry  
37 against the other's will if there is a reasonably foreseeable risk of  
38 harm to the other from the entry.

39 3. The failure of a peace officer to carry out the requirements  
40 set forth in subsection 1 is not a defense in a criminal prosecution  
41 for the commission of an act of domestic violence, nor may such an  
42 omission be considered as negligence or as causation in any civil  
43 action against the peace officer or the officer's employer.

44 4. As used in this section, "dating relationship" means  
45 frequent, intimate associations primarily characterized by the



1 expectation of affectional or sexual involvement. The term does not  
2 include a casual relationship or an ordinary association between  
3 persons in a business or social context.

4 **Sec. 5.** NRS 217.400 is hereby amended to read as follows:

5 217.400 As used in NRS 217.400 to 217.475, inclusive, unless  
6 the context otherwise requires:

7 1. "Dating relationship" means frequent, intimate associations  
8 primarily characterized by the expectation of affectional or sexual  
9 involvement. The term does not include a casual relationship or an  
10 ordinary association between persons in a business or social context.

11 2. "Division" means the Division of Child and Family Services  
12 of the Department of Health and Human Services.

13 3. "Domestic violence" means:

14 (a) The attempt to cause or the causing of bodily injury to a  
15 family or household member or the placing of the member in fear of  
16 imminent physical harm by threat of force.

17 (b) Any of the following acts committed by a person against a  
18 family or household member, a person with whom he or she had or  
19 is having a dating relationship or with whom he or she has a child in  
20 common, or upon his or her minor child or a minor child of that  
21 person:

22 (1) A battery.

23 (2) An assault.

24 (3) Compelling the other by force or threat of force to  
25 perform an act from which he or she has the right to refrain or to  
26 refrain from an act which he or she has the right to perform.

27 (4) A sexual assault.

28 (5) A knowing, purposeful or reckless course of conduct  
29 intended to harass the other. Such conduct may include, without  
30 limitation:

31 (I) Stalking.

32 (II) Arson.

33 (III) Trespassing.

34 (IV) Larceny.

35 (V) Destruction of private property.

36 (VI) ~~Carrying~~ **Unlawfully carrying** a concealed weapon  
37 without a permit.

38 (6) False imprisonment.

39 (7) Unlawful entry of the other's residence, or forcible entry  
40 against the other's will if there is a reasonably foreseeable risk of  
41 harm to the other from the entry.

42 4. "Family or household member" means a spouse, a former  
43 spouse, a parent or other adult person who is related by blood or  
44 marriage or is or was actually residing with the person committing  
45 the act of domestic violence.





1 5. "Participant" means an adult, child or incompetent person  
2 for whom a fictitious address has been issued pursuant to NRS  
3 217.462 to 217.471, inclusive.

4 6. "Victim of domestic violence" includes the dependent  
5 children of the victim.

6 7. "Victim of sexual assault" means a person who has been  
7 sexually assaulted as defined in NRS 200.366 or a person upon  
8 whom a sexual assault has been attempted.

9 8. "Victim of stalking" means a person who is a victim of the  
10 crime of stalking or aggravated stalking as set forth in NRS 200.575.

11 **Sec. 6.** NRS 244.364 is hereby amended to read as follows:

12 244.364 1. Except as otherwise provided by specific statute,  
13 the Legislature reserves for itself such rights and powers as are  
14 necessary to regulate the transfer, sale, purchase, possession,  
15 ownership, transportation, registration and licensing of firearms and  
16 ammunition in Nevada, and no county may infringe upon those  
17 rights and powers. As used in this subsection, "firearm" means any  
18 weapon from which a projectile is discharged by means of an  
19 explosive, spring, gas, air or other force.

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

22 ~~3. If a board of county commissioners in a county whose~~  
23 ~~population is 400,000 or more has required by ordinance or~~  
24 ~~regulation adopted before June 13, 1989, the registration of a~~  
25 ~~firearm capable of being concealed, the board of county~~  
26 ~~commissioners shall amend such an ordinance or regulation to~~  
27 ~~require:~~

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

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

33 ~~—4. Except as otherwise provided in subsection 1, as]~~ As used in  
34 this ~~section:~~

35 ~~—(a) "Firearm"] subsection, "firearm"~~ means any device  
36 designed to be used as a weapon from which a projectile may be  
37 expelled through the barrel by the force of any explosion or other  
38 form of combustion.

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

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

43 **Sec. 7.** NRS 268.418 is hereby amended to read as follows:

44 268.418 1. Except as otherwise provided by specific statute,  
45 the Legislature reserves for itself such rights and powers as are



1 necessary to regulate the transfer, sale, purchase, possession,  
2 ownership, transportation, registration and licensing of firearms and  
3 ammunition in Nevada, and no city may infringe upon those rights  
4 and powers. As used in this subsection, "firearm" means any  
5 weapon from which a projectile is discharged by means of an  
6 explosive, spring, gas, air or other force.

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

9 ~~[3. If the governing body of a city in a county whose  
10 population is 400,000 or more has required by ordinance or  
11 regulation adopted before June 13, 1989, the registration of a  
12 firearm capable of being concealed, the governing body shall amend  
13 such an ordinance or regulation to require:~~

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

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

19 ~~—4. Except as otherwise provided in subsection 1, as] As used in  
20 this [section:~~

21 ~~—(a) "Firearm"] subsection, "firearm" means any device  
22 designed to be used as a weapon from which a projectile may be  
23 expelled through the barrel by the force of any explosion or other  
24 form of combustion.~~

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

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

29 **Sec. 8.** NRS 269.222 is hereby amended to read as follows:

30 269.222 1. Except as otherwise provided by specific statute,  
31 the Legislature reserves for itself such rights and powers as are  
32 necessary to regulate the transfer, sale, purchase, possession,  
33 ownership, transportation, registration and licensing of firearms and  
34 ammunition in Nevada, and no town may infringe upon those rights  
35 and powers. As used in this subsection, "firearm" means any  
36 weapon from which a projectile is discharged by means of an  
37 explosive, spring, gas, air or other force.

38 2. A town board may proscribe by ordinance or regulation the  
39 unsafe discharge of firearms.

40 ~~[3. If a town board in a county whose population is 400,000 or  
41 more has required by ordinance or regulation adopted before  
42 June 13, 1989, the registration of a firearm capable of being  
43 concealed, the town board shall amend such an ordinance or  
44 regulation to require:~~



1 ~~—(a) A period of at least 60 days of residency in the town before~~  
2 ~~registration of such a firearm is required.~~

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

6 ~~—4. Except as otherwise provided in subsection 1, as]~~ As used in  
7 this [section:

8 ~~—(a) “Firearm”]~~ *subsection, “firearm”* means any device  
9 designed to be used as a weapon from which a projectile may be  
10 expelled through the barrel by the force of any explosion or other  
11 form of combustion.

12 ~~[(b) “Firearm capable of being concealed” includes all firearms~~  
13 ~~having a barrel less than 12 inches in length.~~

14 ~~—(c) “Pistol” means a firearm capable of being concealed that is~~  
15 ~~intended to be aimed and fired with one hand.]~~

16 **Sec. 9.** NRS 433A.715 is hereby amended to read as follows:

17 433A.715 1. A court shall seal all court records relating to  
18 the admission and treatment of any person who was admitted,  
19 voluntarily or as the result of a noncriminal proceeding, to a public  
20 or private hospital or mental health facility in this State for the  
21 purpose of obtaining mental health treatment.

22 2. Except as otherwise provided in subsections 4 and 5, a  
23 person or governmental entity that wishes to inspect records that are  
24 sealed pursuant to this section must file a petition with the court that  
25 sealed the records. Upon the filing of a petition, the court shall fix a  
26 time for a hearing on the matter. The petitioner must provide notice  
27 of the hearing and a copy of the petition to the person who is the  
28 subject of the records. If the person who is the subject of the records  
29 wishes to oppose the petition, the person must appear before the  
30 court at the hearing. If the person appears before the court at the  
31 hearing, the court must provide the person an opportunity to be  
32 heard on the matter.

33 3. After the hearing described in subsection 2, the court may  
34 order the inspection of records that are sealed pursuant to this  
35 section if:

36 (a) A law enforcement agency must obtain or maintain  
37 information concerning persons who have been admitted to a public  
38 or private hospital or mental health facility in this State pursuant to  
39 state or federal law;

40 (b) A prosecuting attorney or an attorney who is representing the  
41 person who is the subject of the records in a criminal action requests  
42 to inspect the records; or

43 (c) The person who is the subject of the records petitions the  
44 court to permit the inspection of the records by a person named in  
45 the petition.



1 4. A governmental entity is entitled to inspect court records  
2 that are sealed pursuant to this section without following the  
3 procedure described in subsection 2 if:

4 (a) The governmental entity has made a conditional offer of  
5 employment to the person who is the subject of the records;

6 (b) The position of employment conditionally offered to the  
7 person concerns public safety, including, without limitation,  
8 employment as a firefighter or peace officer;

9 (c) The governmental entity is required by law, rule, regulation  
10 or policy to obtain the mental health records of each individual  
11 conditionally offered the position of employment; and

12 (d) An authorized representative of the governmental entity  
13 presents to the court a written authorization signed by the person  
14 who is the subject of the records and notarized by a notary public or  
15 judicial officer in which the person who is the subject of the records  
16 consents to the inspection of the records.

17 5. Upon its own order, any court of this State may inspect court  
18 records that are sealed pursuant to this section without following the  
19 procedure described in subsection 2 if the records are necessary and  
20 relevant for the disposition of a matter pending before the court. The  
21 court may allow a party in the matter to inspect the records without  
22 following the procedure described in subsection 2 if the court deems  
23 such inspection necessary and appropriate.

24 6. Following the sealing of records pursuant to this section, the  
25 admission of the person who is the subject of the records to the  
26 public or private hospital or mental health facility is deemed never  
27 to have occurred, and the person may answer accordingly any  
28 question related to its occurrence, except in connection with:

29 (a) ~~[An application for a permit to carry a concealed firearm~~  
30 ~~pursuant to the provisions of NRS 202.3653 to 202.369, inclusive;~~

31 ~~—(b)]~~ A transfer of a firearm; or

32 ~~[(e)]~~ (b) An application for a position of employment described  
33 in subsection 4.

34 7. As used in this section:

35 (a) “Firefighter” means a person who is a salaried employee of a  
36 fire-fighting agency and whose principal duties are to control,  
37 extinguish, prevent and suppress fires. As used in this paragraph,  
38 “fire-fighting agency” means a public fire department, fire  
39 protection district or other agency of this State or a political  
40 subdivision of this State, the primary functions of which are to  
41 control, extinguish, prevent and suppress fires.

42 (b) “Peace officer” has the meaning ascribed to it in  
43 NRS 289.010.

44 (c) “Seal” means placing records in a separate file or other  
45 repository not accessible to the general public.



1     **Sec. 10.** NRS 202.3653, 202.3657, 202.366, 202.3662,  
2 202.3663, 202.3665, 202.3667, 202.367, 202.3673, 202.3677,  
3 202.3678, 202.368, 202.3683, 202.3687, 202.3688, 202.3689 and  
4 202.369 are hereby repealed.

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**LEADLINES OF REPEALED SECTIONS**

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**202.3653 Definitions.**

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

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

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

**202.3663 Judicial review of denial of application for permit.**

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

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

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

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

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

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

**202.368 Fees to be deposited with county treasurer.**

**202.3683 Immunity of state and local governments from civil liability.**

**202.3687 Temporary permits.**

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



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

**202.369 Regulations.**

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