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ASSEMBLY BILL NO. 205—ASSEMBLYMEN HICKEY, HANSEN,  
BOBZIEN, ANDERSON; ELLISON, GOICOECHEA, HAMBRICK,  
KIRNER, KITE, LIVERMORE, SMITH, STEWART AND  
WOODBURY

FEBRUARY 23, 2011

Referred to Committee on Judiciary

SUMMARY—Revises provisions concerning the issuance of permits to carry concealed firearms. (BDR 15-51)

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.

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AN ACT relating to concealed firearms; authorizing certain members or veterans of the Armed Forces of the United States, a reserve component thereof or the National Guard, who are at least 18 years of age but less than 21 years of age, to obtain a permit to carry a concealed firearm; revising provisions governing the renewal of a permit; increasing the fee for the renewal of a permit; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Existing law requires a person who wishes to carry a concealed firearm to  
2 obtain a permit to carry the concealed firearm. Additionally, a person who applies  
3 for a permit to carry a concealed firearm must be at least 21 years of age. (NRS  
4 202.3657) **Section 1** of this bill provides an exception to this age requirement and  
5 authorizes certain members or veterans of the Armed Forces of the United States, a  
6 reserve component thereof or the National Guard, who are at least 18 years of age  
7 but less than 21 years of age, to obtain a permit to carry a concealed firearm.  
8 Existing law also requires a sheriff who receives an application for a permit to  
9 conduct an investigation of the applicant to determine if the applicant is eligible for  
10 a permit. (NRS 202.366) **Section 2** of this bill additionally requires a sheriff to  
11 conduct an investigation of an applicant who wishes to renew his or her permit.  
12 **Section 3** of this bill: (1) increases the application fee for the renewal of a  
13 permit from \$25 to not more than \$60; and (2) removes the provision from existing  
14 law which requires an applicant for the renewal of a permit to complete  
15 successfully a course prescribed by the sheriff for the purpose of demonstrating the  
16 applicant's continued competence with certain firearms.



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

1       **Section 1.** NRS 202.3657 is hereby amended to read as  
2 follows:

3       202.3657 1. Any person who is a resident of this State may  
4 apply to the sheriff of the county in which he or she resides for a  
5 permit on a form prescribed by regulation of the Department. Any  
6 person who is not a resident of this State may apply to the sheriff of  
7 any county in this State for a permit on a form prescribed by  
8 regulation of the Department. Application forms for permits must be  
9 furnished by the sheriff of each county upon request.

10       2. Except as otherwise provided in this section, the sheriff shall  
11 issue a permit for revolvers, one or more specific semiautomatic  
12 firearms, or for revolvers and one or more specific semiautomatic  
13 firearms, as applicable, to any person who is qualified to possess the  
14 firearm or firearms to which the application pertains under state and  
15 federal law, who submits an application in accordance with the  
16 provisions of this section and who:

17       (a) Is 21 years of age or older;

18       (b) Is not prohibited from possessing a firearm pursuant to NRS  
19 202.360; and

20       (c) Demonstrates competence with revolvers, each specific  
21 semiautomatic firearm to which the application pertains, or  
22 revolvers and each such semiautomatic firearm, as applicable, by  
23 presenting a certificate or other documentation to the sheriff which  
24 shows that the applicant:

25       (1) Successfully completed a course in firearm safety  
26 approved by a sheriff in this State; or

27       (2) Successfully completed a course in firearm safety offered  
28 by a federal, state or local law enforcement agency, community  
29 college, university or national organization that certifies instructors  
30 in firearm safety.

31       ↳ Such a course must include instruction in the use of revolvers,  
32 each semiautomatic firearm to which the application pertains, or  
33 revolvers and each such semiautomatic firearm and in the laws of  
34 this State relating to the use of a firearm. A sheriff may not approve  
35 a course in firearm safety pursuant to subparagraph (1) unless the  
36 sheriff determines that the course meets any standards that are  
37 established by the Nevada Sheriffs' and Chiefs' Association or, if  
38 the Nevada Sheriffs' and Chiefs' Association ceases to exist, its  
39 legal successor.

40       3. *Notwithstanding the provisions of paragraph (a) of*  
41 *subsection 2, a person who is at least 18 years of age but less than*  
42 *21 years of age is eligible for a permit pursuant to this section if*



1 *the person meets the other requirements for eligibility pursuant to*  
2 *subsection 2 and:*

3 (a) *Is a member of the Armed Forces of the United States, a*  
4 *reserve component thereof or the National Guard; or*

5 (b) *Was discharged or released from service in the Armed*  
6 *Forces of the United States, a reserve component thereof or the*  
7 *National Guard under honorable conditions.*

8 *↳ A person who is eligible for a permit pursuant to this subsection*  
9 *is not exempt from any age requirements imposed by law which*  
10 *govern the purchase of firearms or ammunition.*

11 4. The sheriff shall deny an application or revoke a permit if  
12 the sheriff determines that the applicant or permittee:

13 (a) Has an outstanding warrant for his or her arrest.

14 (b) Has been judicially declared incompetent or insane.

15 (c) Has been voluntarily or involuntarily admitted to a mental  
16 health facility during the immediately preceding 5 years.

17 (d) Has habitually used intoxicating liquor or a controlled  
18 substance to the extent that his or her normal faculties are impaired.  
19 For the purposes of this paragraph, it is presumed that a person has  
20 so used intoxicating liquor or a controlled substance if, during the  
21 immediately preceding 5 years, the person has been:

22 (1) Convicted of violating the provisions of NRS 484C.110;

23 or

24 (2) Committed for treatment pursuant to NRS 458.290 to  
25 458.350, inclusive.

26 (e) Has been convicted of a crime involving the use or  
27 threatened use of force or violence punishable as a misdemeanor  
28 under the laws of this or any other state, or a territory or possession  
29 of the United States at any time during the immediately preceding 3  
30 years.

31 (f) Has been convicted of a felony in this State or under the laws  
32 of any state, territory or possession of the United States.

33 (g) Has been convicted of a crime involving domestic violence  
34 or stalking, or is currently subject to a restraining order, injunction  
35 or other order for protection against domestic violence.

36 (h) Is currently on parole or probation from a conviction  
37 obtained in this State or in any other state or territory or possession  
38 of the United States.

39 (i) Has, within the immediately preceding 5 years, been subject  
40 to any requirements imposed by a court of this State or of any other  
41 state or territory or possession of the United States, as a condition to  
42 the court's:

43 (1) Withholding of the entry of judgment for a conviction of  
44 a felony; or

45 (2) Suspension of sentence for the conviction of a felony.



1 (j) Has made a false statement on any application for a permit or  
2 for the renewal of a permit.

3 ~~[4.]~~ 5. The sheriff may deny an application or revoke a permit  
4 if the sheriff receives a sworn affidavit stating articulable facts  
5 based upon personal knowledge from any natural person who is 18  
6 years of age or older that the applicant or permittee has or may have  
7 committed an offense or engaged in any other activity specified in  
8 subsection ~~[3.]~~ 4 which would preclude the issuance of a permit to  
9 the applicant or require the revocation of a permit pursuant to this  
10 section.

11 ~~[5.]~~ 6. If the sheriff receives notification submitted by a court  
12 or law enforcement agency of this or any other state, the United  
13 States or a territory or possession of the United States that a  
14 permittee or an applicant for a permit has been charged with a crime  
15 involving the use or threatened use of force or violence, the  
16 conviction for which would require the revocation of a permit or  
17 preclude the issuance of a permit to the applicant pursuant to this  
18 section, the sheriff shall suspend the person's permit or the  
19 processing of the person's application until the final disposition of  
20 the charges against the person. If a permittee is acquitted of the  
21 charges, or if the charges are dropped, the sheriff shall restore his or  
22 her permit without imposing a fee.

23 ~~[6.]~~ 7. An application submitted pursuant to this section must  
24 be completed and signed under oath by the applicant. The  
25 applicant's signature must be witnessed by an employee of the  
26 sheriff or notarized by a notary public. The application must  
27 include:

28 (a) The name, address, place and date of birth, social security  
29 number, occupation and employer of the applicant and any other  
30 names used by the applicant;

31 (b) A complete set of the applicant's fingerprints taken by the  
32 sheriff or his or her agent;

33 (c) A front-view colored photograph of the applicant taken by  
34 the sheriff or his or her agent;

35 (d) If the applicant is a resident of this State, the driver's license  
36 number or identification card number of the applicant issued by the  
37 Department of Motor Vehicles;

38 (e) If the applicant is not a resident of this State, the driver's  
39 license number or identification card number of the applicant issued  
40 by another state or jurisdiction;

41 (f) *If the applicant is applying for a permit to carry a*  
42 *concealed firearm pursuant to subsection 3, proof of the*  
43 *applicant's status as a member of the Armed Forces of the United*  
44 *States, a reserve component thereof or the National Guard, or*



1 *proof of the applicant's discharge or release from such service*  
2 *under honorable conditions;*

3 (g) The make, model and caliber of each semiautomatic firearm  
4 to which the application pertains, if any;

5 ~~[(g)]~~ (h) Whether the application pertains to revolvers;

6 ~~[(h)]~~ (i) A nonrefundable fee in the amount necessary to obtain  
7 the report required pursuant to subsection 1 of NRS 202.366; and

8 ~~[(i)]~~ (j) A nonrefundable fee set by the sheriff not to exceed  
9 \$60.

10 **Sec. 2.** NRS 202.366 is hereby amended to read as follows:

11 202.366 1. Upon receipt by a sheriff of an application for a  
12 permit, *including an application for the renewal of a permit*  
13 *pursuant to NRS 202.3677*, the sheriff shall conduct an  
14 investigation of the applicant to determine if the applicant is eligible  
15 for a permit. In conducting the investigation, the sheriff shall  
16 forward a complete set of the applicant's fingerprints to the Central  
17 Repository for Nevada Records of Criminal History for submission  
18 to the Federal Bureau of Investigation for its report concerning the  
19 criminal history of the applicant. The sheriff shall issue a permit to  
20 the applicant unless the applicant is not qualified to possess a  
21 handgun pursuant to state or federal law or is not otherwise qualified  
22 to obtain a permit pursuant to NRS 202.3653 to 202.369, inclusive,  
23 or the regulations adopted pursuant thereto.

24 2. To assist the sheriff in conducting the investigation, any  
25 local law enforcement agency, including the sheriff of any county,  
26 may voluntarily submit to the sheriff a report or other information  
27 concerning the criminal history of an applicant.

28 3. Within 120 days after a complete application for a permit is  
29 submitted, the sheriff to whom the application is submitted shall  
30 grant or deny the application. If the application is denied, the sheriff  
31 shall send the applicant written notification setting forth the reasons  
32 for the denial. If the application is granted, the sheriff shall provide  
33 the applicant with a permit containing a colored photograph of the  
34 applicant and containing such other information as may be  
35 prescribed by the Department. The permit must be in substantially  
36 the following form:

37  
38 NEVADA CONCEALED FIREARM PERMIT

39  
40 County ..... Permit Number .....  
41 Expires..... Date of Birth.....  
42 Height..... Weight .....  
43 Name ..... Address.....  
44 City..... Zip .....  
45 Photograph



- 1 Signature .....
- 2 Issued by.....
- 3 Date of Issue.....
- 4 Make, model and caliber of each authorized semiautomatic
- 5 firearm, if any.....
- 6 Revolvers authorized..... Yes ..... No

7

8 4. Unless suspended or revoked by the sheriff who issued the

9 permit, a permit expires 5 years after the date on which it is issued.

10 **Sec. 3.** NRS 202.3677 is hereby amended to read as follows:

11 202.3677 1. If a permittee wishes to renew his or her permit,

12 the permittee must ~~[complete]~~ :

13 (a) *Complete* and submit to the sheriff who issued the permit an

14 application for renewal of the permit ~~[ ]~~ ; and

15 (b) *Undergo an investigation by the sheriff pursuant to NRS*

16 *202.366 to determine if the permittee is eligible for a permit.*

17 2. An application for the renewal of a permit must:

18 (a) Be completed and signed under oath by the applicant;

19 (b) Contain a statement that the applicant is eligible to receive a

20 permit pursuant to NRS 202.3657; and

21 (c) Be accompanied by a nonrefundable fee ~~[of \$25.]~~ *set by the*

22 *sheriff not to exceed \$60.*

23 ➔ If a permittee fails to renew his or her permit on or before the

24 date of expiration of the permit, the application for renewal must

25 include an additional nonrefundable late fee of \$15.

26 ~~[3.—No permit may be renewed pursuant to this section unless~~

27 ~~the permittee has demonstrated continued competence with~~

28 ~~revolvers, with each semiautomatic firearm to which the application~~

29 ~~pertains, or with revolvers and each such semiautomatic firearm, as~~

30 ~~applicable, by successfully completing a course prescribed by the~~

31 ~~sheriff renewing the permit.]~~

