

CHAPTER.....

AN ACT relating to firearms; prohibiting discharge of a firearm from a structure or vehicle under certain circumstances; providing penalties; and providing other matters properly relating thereto.

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

Section 1. NRS 202.287 is hereby amended to read as follows:

202.287 1. A person ~~[, while in a motor vehicle, whether under the influence of liquor, a controlled substance or otherwise,]~~ who *is in, on or under a structure or vehicle and who* maliciously or wantonly discharges or *maliciously or wantonly* causes to be discharged ~~[out of the motor vehicle, any pistol, gun or any other kind of firearm:]~~ *a firearm within or from the structure or vehicle:*

(a) If the ~~[motor]~~ *structure or* vehicle is not within an area designated by city or county ordinance as a populated area for the purpose of prohibiting the discharge of weapons, is guilty of a misdemeanor.

(b) If the ~~[motor]~~ *structure or* vehicle is within an area designated by city or county ordinance as a populated area for the purpose of prohibiting the discharge of weapons, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

2. *If a firearm is discharged within or out of any vehicle that is in motion or at rest and it cannot with reasonable certainty be ascertained in what county the crime was committed, the offender may be arrested and tried in any county through which the vehicle may have run on the trip during which the firearm was discharged.*

3. The provisions of this section do not apply to:

(a) A person who lawfully shoots at a game mammal or game bird pursuant to subsection 2 of NRS 503.010. ~~[; or]~~

(b) A peace officer while engaged in the performance of his official duties.

(c) *A person who discharges a firearm in a lawful manner and in the course of a lawful business, event or activity.*

4. *As used in this section:*

(a) *“Structure” means any temporary or permanent structure, including, but not limited to, any tent, house, room, apartment, tenement, shop, warehouse, store, mill, barn, stable, outhouse or other building.*

(b) "Vehicle" means any motor vehicle or trailer designed for use with a motor vehicle, whether or not it is self-propelled, operated on rails or propelled by electric power obtained from overhead wires.