

ASSEMBLY BILL NO. 88—ASSEMBLYMEN GOICOECHEA, SHERER, ALLEN, ANDERSON, CARPENTER, CHRISTENSEN, CLABORN, GANSERT, GRADY, HARDY, HETRICK, HOGAN, MABEY, MANENDO, MARVEL, MUNFORD, PERKINS AND SIBLEY

FEBRUARY 21, 2005

Referred to Committee on Judiciary

SUMMARY—Allows possession of certain rifles or shotguns that have been determined to be collector’s items, curios or relics pursuant to federal law. (BDR 15-983)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

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

AN ACT relating to firearms; allowing the possession of a short-barreled rifle or a short-barreled shotgun that has been determined to be a collector’s item, curio or relic pursuant to federal law; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law prohibits the possession of short-barreled rifles and short-barreled
- 2 shotguns except by peace officers or by federally licensed firearms importers,
- 3 manufacturers, collectors or dealers. (NRS 202.275) Federal statutes and
- 4 regulations provide that certain firearms may be determined to be collector’s items,
- 5 curios or relics. (26 U.S.C. § 5845, 18 U.S.C. § 921, 27 C.F.R. Parts 478 and 479)
- 6 This bill allows the possession of short-barreled rifles or short-barreled
- 7 shotguns that have been determined to be collector’s items, curios or relics pursuant
- 8 to federal law.

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

- 1 **Section 1.** NRS 202.275 is hereby amended to read as follows:
- 2 202.275 1. ~~[A]~~ *Except as otherwise provided in subsection*
- 3 *3, a* person who knowingly or willfully possesses, manufactures or



1 disposes of any short-barreled rifle or short-barreled shotgun is
2 guilty of a category D felony and shall be punished as provided in
3 NRS 193.130.

4 2. For purposes of this section:

5 (a) "Short-barreled rifle" means:

6 (1) A rifle having one or more barrels less than 16 inches in
7 length; or

8 (2) Any weapon made from a rifle, whether by alteration,
9 modification or other means, with an overall length of less than 26
10 inches.

11 (b) "Short-barreled shotgun" means:

12 (1) A shotgun having one or more barrels less than 18 inches
13 in length; or

14 (2) Any weapon made from a shotgun, whether by alteration,
15 modification or other means, with an overall length of less than 26
16 inches.

17 3. This section does not prohibit:

18 (a) The possession or use of any short-barreled rifle or short-
19 barreled shotgun by any peace officer when authorized to do so in
20 the performance of official duties; ~~for~~

21 (b) The possession of any short-barreled rifle or short-barreled
22 shotgun by a person who is licensed as a firearms importer,
23 manufacturer, collector or dealer by the United States Department of
24 the Treasury, or by a person to whom such a rifle or shotgun is
25 registered with the United States Department of the Treasury ~~or~~; *or*

26 (c) *The possession of any short-barreled rifle or short-barreled*
27 *shotgun that has been determined to be a collector's item pursuant*
28 *to 26 U.S.C. chapter 53 or a curio or relic pursuant to 18 U.S.C.*
29 *chapter 44.*

