

ASSEMBLY BILL NO. 119—ASSEMBLYMEMBER YEAGER

PREFILED JANUARY 24, 2025

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to paramilitary activity. (BDR 36-191)

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 paramilitary activity; authorizing the Attorney General to investigate alleged paramilitary activity and issue written investigative demands in connection with any such investigation; authorizing the Attorney General to seek an injunction against a person or group of persons who has engaged in or is about to engage in paramilitary activity; creating a cause of action for a person who has suffered injury as a result of paramilitary activity; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law governs the formation and operation of volunteer military companies and volunteer military organizations. (Chapter 412 of NRS) In general, existing law prohibits a group of persons other than the Nevada National Guard and troops of the United States from drilling or parading with arms in any city or town in this State without a license issued by the Governor. (NRS 412.604) **Section 1** of this bill: (1) defines the term “private paramilitary organization” to mean an organized body consisting of three or more persons who associate under a structure of command for the purpose of functioning or training to function in a public place as a unit of combat, combat support, law enforcement or security services; and (2) deems a person or group of persons to engage in paramilitary activity if the person or group of persons knowingly, while acting as part of a private paramilitary organization or in furtherance of any objective of a private paramilitary organization, engages in certain activities.

Section 1 authorizes the Attorney General to: (1) investigate alleged paramilitary activity; (2) issue written investigative demands in connection with any such investigation; and (3) seek an injunction against a person or group of persons who has engaged in or is about to engage in paramilitary activity under certain circumstances. **Section 1** also authorizes a person injured as a result of paramilitary activity to bring a civil action for damages against a person or group of



20 persons who has engaged in paramilitary activity. Finally, **section 1** exempts
21 certain persons and governmental entities from the provisions of this bill.

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

1 **Section 1.** Chapter 412 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. The Attorney General may investigate any alleged*
4 *paramilitary activity. In conducting any such investigation, the*
5 *Attorney General shall not demand, collect or maintain*
6 *information about the political, religious or social views,*
7 *associations or activities of any person or group of persons unless:*

8 *(a) The information directly relates to an investigation into*
9 *paramilitary activity; and*

10 *(b) There are reasonable grounds to suspect that the subject of*
11 *the information is involved in paramilitary activity.*

12 *2. If the Attorney General has reasonable cause to believe*
13 *that a person has information or is in possession, custody or*
14 *control of any document or other tangible evidence relevant to an*
15 *investigation authorized by subsection 1, the Attorney General*
16 *may issue in writing and cause to be served upon that person an*
17 *investigative demand to:*

18 *(a) Appear and be examined under oath;*

19 *(b) Answer written interrogatories under oath; or*

20 *(c) Produce the document or other tangible evidence for*
21 *inspection and copying.*

22 *3. If the Attorney General has reasonable cause to believe*
23 *that a person or group of persons has engaged in or is about to*
24 *engage in paramilitary activity, the Attorney General may file an*
25 *action for injunctive relief in the appropriate district court to*
26 *prevent the occurrence or continuance of paramilitary activity. An*
27 *injunction issued pursuant to this subsection does not preclude or*
28 *affect the availability of any other remedy, including, without*
29 *limitation, the filing or maintenance of a civil action for damages*
30 *pursuant to subsection 4.*

31 *4. A person who has suffered injury as a result of*
32 *paramilitary activity may bring a civil action against a person or*
33 *group of persons who has engaged in paramilitary activity. A*
34 *plaintiff who prevails in an action brought pursuant to this*
35 *subsection may recover actual damages, compensatory damages,*
36 *attorney's fees and costs and any other appropriate relief.*

37 *5. For the purposes of this section, a person or group of*
38 *persons shall be deemed to engage in paramilitary activity if the*
39 *person or group of persons knowingly, while acting as part of a*



1 *private paramilitary organization or in furtherance of any*
2 *objective of a private paramilitary organization:*

3 (a) *While armed with a deadly weapon, publicly patrols or*
4 *drills;*

5 (b) *While armed with a dangerous weapon or deadly weapon:*

6 (1) *Publicly engages in conduct capable of causing physical*
7 *injury or death; or*

8 (2) *Substantially interferes with the operations of a*
9 *governmental entity;*

10 (c) *Unlawfully assumes, exercises or asserts a function, power*
11 *or duty of a peace officer, state or local governmental official or*
12 *federal official;*

13 (d) *Interferes with or impairs or attempts to interfere with or*
14 *impair the legal rights of another person or group of persons by:*

15 (1) *Preventing or attempting to prevent the other person or*
16 *group of persons from engaging in conduct in which the other*
17 *person or group of persons has a legal right to engage; or*

18 (2) *Causing or attempting to cause the other person or*
19 *group of persons to engage in conduct from which the other*
20 *person or group of persons has a legal right to abstain; or*

21 (e) *Trains to engage in an activity described in this subsection.*

22 6. *This section does not apply to:*

23 (a) *The Armed Forces of the United States, the Nevada*
24 *National Guard or any regularly organized state militia or*
25 *unorganized or reserve militia called into service by a state or the*
26 *United States, including, without limitation, a defense force*
27 *authorized under 32 U.S.C. § 109(c);*

28 (b) *A group of persons that:*

29 (1) *Associates as a military organization solely for*
30 *historical purposes or fictional performances or parades in public*
31 *as part of a bona fide veterans' organization; and*

32 (2) *Does not carry or use ammunition or explosives;*

33 (c) *Students in educational institutions where military science*
34 *is a part of the course of instruction when under the supervision of*
35 *a military instructor;*

36 (d) *Members of an organization authorized under state or*
37 *federal law to provide security services when performing the*
38 *functions authorized by law;*

39 (e) *Members of an organization authorized under state or*
40 *federal law to provide training in paramilitary operations or law*
41 *enforcement when:*

42 (1) *Performing the functions authorized by law; and*

43 (2) *Under the direction and control of a governmental*
44 *authority; or*

45 (f) *Any lawful activity of the Department of Wildlife.*



1 7. *As used in this section:*

2 (a) *“Armed forces” has the meaning ascribed to it in 10 U.S.C.*
3 *§ 101(a)(4).*

4 (b) *“Dangerous weapon” means any weapon, device,*
5 *instrument, material or substance which, under the circumstances*
6 *in which it is used, attempted to be used or threatened to be used,*
7 *is readily capable of causing substantial bodily harm or death.*

8 (c) *“Deadly weapon” means any instrument which, if used in*
9 *the ordinary manner contemplated by its design and construction,*
10 *will or is likely to cause substantial bodily harm or death.*

11 (d) *“Governmental entity” means an institution, board,*
12 *commission, bureau, council, department, division, authority or*
13 *other unit of government of this State, including, without*
14 *limitation, an agency or political subdivision of this State.*

15 (e) *“Peace officer” means any person upon whom some or all*
16 *of the powers of a peace officer are conferred pursuant to NRS*
17 *289.150 to 289.360, inclusive.*

18 (f) *“Private paramilitary organization” means an organized*
19 *body consisting of three or more persons who associate under a*
20 *structure of command for the purpose of functioning or training*
21 *to function in a public place as a unit of combat, combat support,*
22 *law enforcement or security services.*

