#### Amendment No. 422

Senate A	mendment to S	enate Bill No. 294		(BDR 15-47)
Proposed	d by: Senate Co	ommittee on Judiciary		
Amends:	Summary: No	Title: Yes Preamble: No	Joint Sponsorship: No	Digest: Yes

ASSEMBLY	'AC'	ΓΙΟΝ	Initial and Date		SENATE ACTIO	)N Init	ial and Date
Adopted		Lost			Adopted	Lost	
Concurred In		Not		l	Concurred In	Not _	
Receded		Not		l	Receded	Not	

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of <u>green bold underlining</u> is language proposed to be added in this amendment; (3) <u>red strikethrough</u> is deleted language in the original bill; (4) <u>purple double strikethrough</u> is language proposed to be deleted in this amendment; (5) <u>orange double underlining</u> is deleted language in the original bill proposed to be retained in this amendment.

MR/BAW : Date: 4/22/2023

S.B. No. 294—Revises provisions relating to the safe storage of firearms. (BDR 15-47)

## SENATE BILL NO. 294—SENATORS DONATE; FLORES, D. HARRIS, AND SCHEIBLE

### MARCH 15, 2023

#### Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to the safe storage of firearms. (BDR 15-47)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.

Effect on the State: Yes.

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

AN ACT relating to firearms; fereating the crime of unsafe storage of a firearms requiring a licensed dealer to provide a locking device capable of securing a firearm with each sale or transfer of a firearm; requiring a licensed gun dealer to post a notice on the premises which informs a buyer that the unlawful storage of a firearm may result in imprisonment or a fine; requiring the board of trustees of each school district and the governing body of each charter school to [provide active shooter preparedness training to each employee; requiring the Department of Education to include in a model plan for management of a suicide, crisis or emergency a procedure for providing drills to instruct pupils in the appropriate procedures to be followed in response to an active shooter emergency: include certain provisions related to active assailants in a plan for responding to a crisis, emergency or suicide; requiring certain school police officers to receive training in active assailant movement techniques; requiring the Department of Health and Human Services to develop and implement a safe firearm storage education campaign; providing penalties; and providing other matters properly relating thereto.

#### **Legislative Counsel's Digest:**

Existing law: (1) prohibits a person from aiding or knowingly permitting a child to handle, possess or control a firearm under certain circumstances; (2) provides that a person does not aid or knowingly permit a child to violate such existing law if the firearm was stored in a securely locked container or at a location which a reasonable person would have believed to be secure; and (3) makes it a misdemeanor to negligently store or leave a firearm at a location under his or her control, if a person knows or has reason to know that there is a substantial risk that a child, who is otherwise prohibited from handling, possessing or controlling a firearm, may obtain such a firearm. (NRS 202.300)

[Section 6 of this bill removes certain provisions of existing law relating to the storage of firearms, and sections 2-4 of this bill instead establish the Safe Firearm Storage Act. Section 5 of this bill makes a conforming change to indicate the proper placement of sections 2-4 in the

Nevada Revised Statutes. Section 12 of this bill makes a conforming change to reflect the renumbering of subsections in section 6.

Section 3 of this bill, which contains the provisions of the Safe Firearm Storage Act that apply to the storage of firearms by individuals, provides that a person commits the crime of unsafe storage of a firearm when the person: (1) knows or reasonably should know that a child under the age of 18 years, or a resident of the premises that is prohibited from possessing a firearm, can gain access to a firearm; and (2) fails to responsibly and securely store the firearm. Under section 3, a person who commits the crime of unsafe storage of a firearm is guilty of a misdemeanor. Section 3 also creates an affirmative defense to the crime of unsafe storage of a firearm if a child gained possession of and used a firearm for the purpose of exercising certain rights.

Additionally, section 3 provides that a person responsibly and securely stores a firearm if: (1) the person carries the firearm on his or her person or within such proximity thereto that the person can readily retrieve and use the firearm as if the person carried the firearm on his or her person; (2) the firearm is kept in a locked gun safe or other secure container or in a manner that a reasonable person would believe to be secure, and a child or a resident of the premises who is prohibited from possessing a firearm does not have access to the key, combination or other unlocking mechanism necessary to open the safe or container; (3) the person properly installs a locking device on the firearm, and a child or resident of the premises who is prohibited from possessing a firearm does not have access to the key; or (4) the firearm is personalized firearm, and the safety characteristics of the firearm are activated. Section 7 of this bill makes a conforming change to include a necessary reference to section 3 in a provision relating to the forfeiture of personal property used in the commission of an offense.]

Section 4 of this bill [f., which contains the provisions of the Safe Firearm Storage Act relating to the obligations of licensed dealers of firearms.] requires a licensed dealer to: (1) provide with each firearm sold or otherwise transferred a locking device capable of securing the firearm; and (2) post in a conspicuous location on its premises a notice which informs a buyer that the [unlawfull] negligent storage of a firearm may result in imprisonment or a fine. A licensed dealer who violates a requirement of section 4 is guilty of a misdemeanor punishable by a fine of not more than \$500. Section 5 of this bill makes a conforming change to indicate the proper placement of section 4 in the Nevada Revised Statutes.

Existing law requires the board of trustees of each school district and the governing body of each charter school [, at least once a year,] to [provide certain training to each employee of the school] establish a development committee to develop a plan to be used by the schools in the district or [of] the charter school [, including, without limitation, training concerning drills for evacuating and securing schools.(NRS 388.245)] in responding to a crisis, emergency or suicide. Such a committee, under existing law, is required to develop a plan which constitutes the minimum requirements of a plan for a school to use. (NRS 388.241, 388.243)

Section [8] 9.1 of this bill [includes in] requires such [training drills for active shooter preparedness.

Existing law requires the Department of Education to develop a model plan for the management of a suicide or a crisis or emergency that involves a public or private school and requires immediate action. Under existing law, the model plan must provide for drills to instruct pupils in the appropriate procedures to be followed in response to a crisis or an emergency. (NRS 388.253) Section 9 of this bill includes in the model plan drills concerning active shooter preparedness.] a plan to include, if the school district has school police officers, a plan to coordinate with local law enforcement agencies to train school police officers in active assailant movement techniques. In a school district which has more than 50,000 pupils enrolled in its schools, section 9.1 additionally requires the plan to include a plan to: (1) coordinate with local law enforcement agencies or public safety organizations to provide active assailant trainings to certain employees of the school district; (2) provide certain support to pupils, faculty and staff who have experienced a crisis or emergency; (3) ensure that a pupil's parents or legal guardians are notified of a crisis or an emergency through any communication method established by a school; and (4) inform a pupil's parent or legal guardian of any state requirement related to the storage of firearms.

Existing law authorizes: (1) the board of trustees of a school district to employ, appoint or contract for the provision of school police officers; and (2) the governing body

 of a charter school to contract with the board of trustees of the school district in which the charter school is located to provide school police officers. (NRS 388A.384, 391.281) Sections 9.2 and 9.3 of this bill require school police officers to receive training in active assailant movement techniques before beginning their service as a school police officer. Section 9.1 defines the terms "active assailant movement techniques" and "active assailant training" for the purpose of sections 9.1-9.3.

Existing law creates within the Department of Health and Human Services a Statewide

Existing law creates within the Department of Health and Human Services a Statewide Program for Suicide Prevention and requires the Coordinator of the Program to develop and maintain an Internet or network site with links to certain resources for suicide prevention. (NRS 439.511) Section 10 of this bill requires the Program, in consultation with the Department and to the extent that money is available, to develop and implement a safe firearm storage education campaign to inform and educate certain persons about certain information relating to the safe storage of firearms. Section 10 authorizes the Program to: (1) develop and provide to local law enforcement agencies and health care providers certain materials relating to the safe storage of firearms; (2) provide owners of firearms with information relating to the cost of purchasing locking devices, gun safes or other secure storage containers for firearms; and (3) use any advertising medium or form of messaging deemed appropriate by the Department in furtherance of the goals of the education campaign. Under section 10, the Department of Health and Human Services is required to post on the Internet or network site certain information about community programs that allow owners of firearms to voluntarily and temporarily store a firearm at certain secure locations outside of their homes.

Section 11 of this bill further requires the Coordinator to post on the Internet or network site information relating to: (1) the crime of <a href="[] <a href="[]

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

- **Section 1.** Chapter 202 of NRS is hereby amended by adding thereto the provisions set forth as sections , 3 and 4 of this act.
- Sec. 2. [Sections 2, 3 and 4 of this act may be referred to as the Safe Firearm Storage Act.] (Deleted by amendment.)
- Sec. 3. [1. A person commits the crime of unsafe storage of a firearm when the person:
- (a) Knows or reasonably should know that a child under the age of 18 years, or a resident of the premises prohibited from possessing a firearm, can gain access to the firearm; and
  - (b) Fails to responsibly and securely store the firearm.
- 2. For the purposes of subsection 1, a person responsibly and securely stores a firearm if:
- (a) The person carries the firearm on his or her person or within such proximity thereto that the person can readily retrieve and use the firearm as if the person carried the firearm on his or her person;
- (b) The firearm is kept in a locked gun safe or other secure container or in a manner that a reasonable person would believe to be secure, and a child or a resident of the premises who is prohibited from possessing a firearm does not have access to the key, combination or other unlocking mechanism necessary to open the safe or container;
- (c) The person properly installs a locking device on the firearm, and a child or resident of the premises who is prohibited from possessing a firearm does not

have access to the key, combination or other unlocking mechanism necessary to remove the locking device; or

- (d) The firearm is a personalized firearm, and the safety characteristics of the firearm are activated.
- 3. A person who violates any provision of subsection 1 is guilty of a misdemeanor.
- 4. The provisions of this section do not apply to storing an antique firearm or a firearm that has been determined to be a curio or relic pursuant to 18 U.S.C. Chapter 44.
- 5. It is an affirmative defense to an offense charged pursuant to this section that a child gained possession of and used a firearm for the purpose of exercising the rights contained in NRS 200.120 or 200.200 or in defense of livestock.
- 6. As used in this section:

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- (a) "Locking device" means a device which prohibits the operation or discharge of a firearm and which can only be disabled with the use of a key, a combination, biometric data or other similar means.
- (b) "Personalized firearm" means a firearm that has, as part of its original manufacture, incorporated design technology that allows the firearm to be fired only by the authorized user and prevents any of the safety characteristics of the firearm from being readily deactivated by anyone other than the authorized user. Such design technology may include, without limitation, fingerprint verification, magnetic encoding, radio frequency tagging and other automatic user identification systems utilizing biometric, mechanical or electronic systems.] (Deleted by amendment.)
  - Sec. 4. 1. Every licensed dealer shall:
- (a) Provide with each firearm sold or otherwise transferred a locking device capable of securing the firearm; and
- (b) Post in a conspicuous location on its premises and at any other location at which the dealer sells a firearm a sign which is not less than 8.5 inches wide by 11 inches high and which contains, in at least 24-point boldface type, the following:

#### **NOTICE**

[Unlawful] Negligent storage of a firearm may result in imprisonment or fine.

- 2. A licensed dealer who violates any provision of subsection 1 is guilty of a misdemeanor and shall be punished by a fine of not more than \$500.
- 3. The provisions of this section do not apply to storing an antique firearm or a firearm that has been determined to be a curio or relic pursuant to 18 U.S.C. Chapter 44.
  - 4. As used in this section:
  - (a) "Licensed dealer" has the meaning ascribed to it in NRS 202.2546.
- (b) "Locking device" [has the meaning ascribed to it in section 3 of this act.] means a device which prohibits the operation or discharge of a firearm and which can only be disabled with the use of a key, a combination, biometric data or other similar means.
  - **Sec. 5.** NRS 202.253 is hereby amended to read as follows:
- 202.253 As used in NRS 202.253 to 202.369, inclusive [:], and [sections 2, 3] and] section 4 of this act:
  - 1. "Antique firearm" has the meaning ascribed to it in 18 U.S.C. § 921(a)(16).
- 2. "Explosive or incendiary device" means any explosive or incendiary material or substance that has been constructed, altered, packaged or arranged in such a manner that its ordinary use would cause destruction or injury to life or property.

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- "Firearm" means any device designed to be used as a weapon from which a projectile may be expelled through the barrel by the force of any explosion or other form of combustion.
- 4. "Firearm capable of being concealed upon the person" applies to and includes all firearms having a barrel less than 12 inches in length.
- "Firearms importer or manufacturer" means a person licensed to import or manufacture firearms pursuant to 18 U.S.C. Chapter 44.
- "Machine gun" means any weapon which shoots, is designed to shoot or can be readily restored to shoot more than one shot, without manual reloading, by a single function of the trigger.
  - 7. "Motor vehicle" means every vehicle that is self-propelled.
  - "Semiautomatic firearm" means any firearm that:
- (a) Uses a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next shell or round;
  - (b) Requires a separate function of the trigger to fire each cartridge; and
  - (c) Is not a machine gun.
- "Unfinished frame or receiver" means a blank, a casting or a machined body that is intended to be turned into the frame or lower receiver of a firearm with additional machining and which has been formed or machined to the point at which most of the major machining operations have been completed to turn the blank, casting or machined body into a frame or lower receiver of a firearm even if the fire-control cavity area of the blank, casting or machined body is still completely solid and unmachined.
  - Sec. 6. INRS 202,300 is hereby amended to read as follows:
- 202.300 1. Except as otherwise provided in this section, a child under the age of 18 years shall not handle or have in his or her possession or under his or her control, except while accompanied by or under the immediate charge of his or her parent or guardian or an adult person authorized by his or her parent or guardian to have control or custody of the child, any firearm of any kind for hunting or target practice or for other purposes. A child who violates this subsection commits delinquent act and the court may order the detention of the child in the same manner as if the child had committed an act that would have been a felony if committed by an adult.
  - 2. A person who aids or knowingly permits a child to violate subsection 1:
- (a) Except as otherwise provided in paragraph (b), for the first offense, is guilty
- (b) For a first offense, if the person knows or has reason to know that there is a substantial risk that the child will use the firearm to commit a violent act, is guilty of a category C folony and shall be punished as provided in NRS 193.130.
- (c) For a second or any subsequent offense, 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 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000.
- 3. A person does not aid or knowingly permit a child to violate subsection 1
- (a) [The firearm was stored in a securely locked container or at a location which a reasonable person would have believed to be secure;
- (b) The child obtained the firearm as a result of an unlawful entry person in or upon the premises where the firearm was stored;
- [(e)] (b) The injury or death resulted from an accident which was incident target shooting, sport shooting or hunting; or

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[(d)] (e) The child gained possession of the firearm from a member of the military or a law enforcement officer, while the member or officer was performing his or her official duties.

4. The provisions of subsection 1 do not apply to a child who is a member of the Armed Forces of the United States.

5. [Unless a greater penalty is provided by law, a person is guilty of a misdemeanor who:

(a) Negligently stores or leaves a firearm at a location under his or her control; and

(b) Knows or has reason to know that there is a substantial risk that a child prohibited from handling or having in his or her possession or under his or her control any firearm pursuant to this section may obtain such a firearm.

6. Except as otherwise provided in subsection [9,] 8, a child who is 14 years of age or older, who has in his or her possession a valid license to hunt, may handle or have in his or her possession or under his or her control, without being accompanied by his or her parent or guardian or an adult person authorized by his or her parent or guardian to have control or custody of the child:

(a) A rifle or shotgun that is not a fully automatic firearm, if the child is not otherwise prohibited by law from possessing the rifle or shotgun and the child has the permission of his or her parent or guardian to handle or have in his or her possession or under his or her control the rifle or shotgun; or

(b) A firearm capable of being concealed upon the person, if the child has the written permission of his or her parent or guardian to handle or have in his or her possession or under his or her control such a firearm and the child is not otherwise prohibited by law from possessing such a firearm,

\* and the child is traveling to the area in which the child will be hunting or returning from that area and the firearm is not loaded, or the child is hunting pursuant to that license.

[7.] 6. Except as otherwise provided in subsection [9.] 8, a child who is 14 years of age or older may handle or have in his or her possession or under his or her control a rifle or shotgun that is not a fully automatic firearm if the child is not otherwise prohibited by law from possessing the rifle or shotgun, without being accompanied by his or her parent or guardian or an adult person authorized by his or her parent or guardian to have control or custody of the child, if the child has the permission of his or her parent or guardian to handle or have in his or her possession or under his or her control the rifle or shotgun and the child is:

(a) Attending a course of instruction in the responsibilities of hunters or a course of instruction in the safe use of firearms;

(b) Practicing the use of a firearm at an established firing range or at any other area where the discharge of a firearm is permitted;

(c) Participating in a lawfully organized competition or performance involving the use of a firearm:

(d) Within an area in which the discharge of firearms has not been prohibited by local ordinance or regulation and the child is engaging in a lawful hunting activity in accordance with chapter 502 of NRS for which a license is not required;

(e) Traveling to or from any activity described in paragraph (a), (b), (c) or (d), and the firearm is not loaded:

(f) On real property that is under the control of an adult, and the child has the permission of that adult to possess the firearm on the real property; or

(g) At his or her residence.

[8.] 7. Except as otherwise provided in subsection [9,] 8, a child who is 14 years of age or older may handle or have in his or her possession or under his or her control, for the purpose of engaging in any of the activities listed in paragraphs (a)

- to (g), inclusive, of subsection [7,] 6, a firearm capable of being concealed upon the person, without being accompanied by his or her parent or guardian or an adult person authorized by his or her parent or guardian to have control or custody of the child, if the child:
  - (a) Has the written permission of his or her parent or guardian to handle or have in his or her possession or under his or her control such a firearm for the purpose of engaging in such an activity; and
  - (b) Is not otherwise prohibited by law from possessing such a firearm.
- 9 [9.] 8. A child shall not handle or have in his or her possession or under his or her control a loaded firearm if the child is:
- 11 (a) An occupant of a motor vehicle;

- (b) Within any residence, including his or her residence, or any building other than a facility licensed for target practice, unless possession of the firearm is necessary for the immediate defense of the child or another person; or
- 15 (e) Within an area designated by a county or municipal ordinance as a populated area for the purpose of prohibiting the discharge of weapons, unless the child is within a facility licensed for target practice.
- 18 = [10.] 9. For the purposes of this section, a firearm is loaded if:
  - (a) There is a cartridge in the chamber of the firearm;
  - (b) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver; or
  - (c) There is a cartridge in the magazine and the magazine is in the firearm or there is a cartridge in the chamber, if the firearm is a semiautomatic firearm.]
    (Deleted by amendment.)
    - Sec. 7. [NRS 179.121 is hereby amended to read as follows:
  - 179.121 1. All personal property, including, without limitation, any tool, substance, weapon, machine, computer, money or security, which is used as an instrumentality in any of the following crimes is subject to forfeiture:
  - (a) The commission of or attempted commission of the crime of murder, robbery, kidnapping, burglary, invasion of the home, grand larceny or theft if it is punishable as a folony:
  - (b) The commission of or attempted commission of any felony with the intent to commit, cause, aid, further or conceal an act of terrorism:
- 34 (c) A violation of NRS 202.445 or 202.446;
  - (d) The commission of any crime by a criminal gang, as defined in NRS 213 1263; or
  - (e) A violation of NRS 200.463 to 200.468, inclusive, 201.300, 201.320, 201.395, 202.265, 202.287, 205.473 to 205.513, inclusive, 205.610 to 205.810, inclusive, 370.380, 370.382, 370.405, 465.070 to 465.086, inclusive, 630.400, 630.4.600, 631.400, 632.285, 632.291, 632.315, 633.741, 634.227, 634.230, 635.167, 636.145, 637.090, 637B.290, 639.100, 639.2813, 640.169, 640A.230, 644A.900 or 654.200 [.] or section 3 of this act.
  - 2. Except as otherwise provided for conveyances forfeitable pursuant to NRS 453.301 or 501.3857, all conveyances, including aircraft, vehicles or vessels, which are used or intended for use during the commission of a felony or a violation of NRS 202.287, 202.300 or 465.070 to 465.086, inclusive, are subject to forfeiture except that:
  - (a) A conveyance used by any person as a common carrier in the transaction of business as a common carrier is not subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to the felony or violation;

- (e) Provide a copy of each plan developed pursuant to NRS 388.243 and each plan updated pursuant to subsection 1 to:

- (b) A conveyance is not subject to forfeiture under this section by reason of any act or omission established by the owner thereof to have been committed or omitted without the owner's knowledge, consent or willful blindness;
- (c) A conveyance is not subject to forfeiture for a violation of NRS 202.300 or section 3 of this act if the firearm used in the violation of that section was not loaded at the time of the violation; and
- (d) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had knowledge of nor consented to the felony. If a conveyance is forfeited, the appropriate law enforcement agency may pay the existing balance and retain the conveyance for official use.
  - 3. For the purposes of this section, a firearm is loaded if:
    - (a) There is a cartridge in the chamber of the firearm;
- (b) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver; or
- (e) There is a cartridge in the magazine and the magazine is in the firearm or there is a cartridge in the chamber, if the firearm is a semiautomatic firearm.
- 4. As used in this section, "act of terrorism" has the meaning ascribed to it in NRS 202.4415.] (Deleted by amendment.)
  - Sec. 8. [NRS 388.245 is hereby amended to read as follows:
- 388.245 1. Each emergency operations plan development committee shall, at least once each year, review and update as appropriate the plan that it developed pursuant to NRS 388.243. In reviewing and updating the plan, the emergency operations plan development committee shall consult with the director of the local organization for emergency management or, if there is no local organization for emergency management, with the Chief of the Division of Emergency Management of the Office of the Military or his or her designee.
- 2. Each emergency operations plan development committee shall provide an updated copy of the plan to the board of trustees of the school district that established the committee or the governing body of the charter school that established the committee.
- 3. On or before July 1 of each year, the board of trustees of the school district that established the committee or the governing body of the charter school that established the committee shall submit for review to the Division of Emergency Management of the Office of the Military the plan updated pursuant to subsection 1
- 4. The board of trustees of each school district and the governing body of each charter school shall:
- (a) Post a notice of the completion of each review and update that its emergency operations plan development committee performs pursuant to subsection 1 on the Internet website maintained by the school district or governing body and by each school in the school district or by the charter school, as applicable;
- (b) File with the Department a copy of the notice posted pursuant to paragraph
- (c) Post a link to NRS 388.229 to 388.266, inclusive, on the Internet website maintained by each school in its school district or by the charter school;
- (d) Retain a copy of each plan developed pursuant to NRS 388.243, each plan updated pursuant to subsection 1 and each deviation approved pursuant to NRS 388.251;

	(1) Each local public safety agency in the county in which the school or charter school is located; and
<del>uistrict</del>	or charter sendor is located, and
	(2) The local organization for emergency management, if any;
<del>(f)</del>	Upon request, provide a copy of each plan developed pursuant to NRS
<del>388.24</del> ;	3 and each plan updated pursuant to subsection 1 to a local agency that is
include	d in the plan and to an employee of a school who is included in the plan;
	Provide a copy of each deviation approved pursuant to NRS 388.251 as
	practicable to:
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	(1) The Department;
	(2) A local public safety agency in the county in which the school district
	er school is located;
	(3) The Division of Emergency Management of the Office of the Military;
	(4) The local organization for emergency management, if any;
	(5) A local agency that is included in the plan; and
	(6) An employee of a school who is included in the plan; and
(h)	At least once each year, provide training in responding to a crisis and
	The reast office each year, provide training in responding to a crisis and
<del>ramin</del> ę	in responding to an emergency to each employee of the school district or of
	arter school, including, without limitation, training concerning drills for
<del>active s</del>	hooter preparedness and evacuating and securing schools.
<del>5.</del>	The board of trustees of each school district and the governing body of
<del>cach cl</del>	arter school may apply for and accept gifts, grants and contributions from
ony pul	plic or private source to carry out the provisions of NRS 388.229 to 388.266,
	(Deleted by amendment.)
Sec	. 9. [NRS 388.253 is hereby amended to read as follows:
388	1.253 1. The Department shall, with assistance from other state agencies,
includi	ng, without limitation, the Division of Emergency Management of the Office
of the	Military and the Investigation Division and the Nevada Highway Patrol
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hanero	n of the Department of Public Safety, develop a model plan for the
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nanage	n of the <del>Department of Public Safety, develop a model plan for the ment of:</del>
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manage (a)	n of the Department of Public Safety, develop a model plan for the ment of:  A suicide:
manage (a) (b)	n of the Department of Public Safety, develop a model plan for the ment of:  A suicide;  A crisis or emergency that involves a public school or a private school and
manage (a) (b) that req	n of the Department of Public Safety, develop a model plan for the ment of: A suicide; A crisis or emergency that involves a public school or a private school and uires immediate action; and
manage (a) (b) that req (c)	n of the Department of Public Safety, develop a model plan for the ment of:  A suicide;  A crisis or emergency that involves a public school or a private school and uires immediate action; and  All other hazards.
manage (a) (b) that req (c) 2.	n of the Department of Public Safety, develop a model plan for the ment of: A suicide; A crisis or emergency that involves a public school or a private school and uires immediate action; and All other hazards. The model plan must include, without limitation, a procedure for:
manage (a) (b) that req (c) 2.	n of the Department of Public Safety, develop a model plan for the ment of:  A suicide; A crisis or emergency that involves a public school or a private school and uires immediate action; and All other hazards.  The model plan must include, without limitation, a procedure for: In recognose to a crisis or emergency:
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(9) Carrying out a lockdown at a school: 2 (10) Providing shelter in specific areas of a school; and 3 (11) Providing disaster behavioral health related to a crisis, emergency suicide . [;] 4 5 (b) Providing specific information relating to managing a crisis or emergency 6 that is a result of: 7 (1) An incident involving hazardous materials; 8 (2) An incident involving mass casualties; 9 (3) An incident involving an active shooter; 10 (4) An incident involving a fire, explosion or other similar situation; 11 (5) An outbreak of disease, including, without limitation, an epidemie; 12 (6) Any threat or hazard identified in the hazard mitigation plan of the 13 county in which the school district is located, if such a plan exists; or 14 (7) Any other situation, threat or hazard deemed appropriate . [;] 15 (c) Providing pupils and staff at a school that has experienced a crisis or 16 emergency with access to counseling and other resources to assist in recovering 17 from the crisis or emergency. [;] 18 (d) Evacuating pupils and employees of a charter school to a designated space 19 within an identified public middle school, junior high school or high school in a school district that is separate from the general population of the school and large 20 21 enough to accommodate the charter school, and such a space may include, without 22 limitation, a gymnasium or multipurpose room of the public school . [;] 23 (e) Selecting an assessment tool which assists in responding to a threat against 24 the school by a pupil or pupils . [;] (f) On an annual basis, providing drills to instruct pupils in the appropriate 2.5 26 procedures to be followed in response to a crisis or an emergency [. , including, 27 without limitation, drills concerning active shooter preparedness, Such drills must 28 occur: 29 1) At different times during normal school hours; and 30 (2) In cooperation with other state agencies, pursuant to this section. 31 (g) Responding to a suicide or attempted suicide to mitigate the effects of the 32 suicide or attempted suicide on pupils and staff at the school, including, without 33 limitation, by making counseling and other appropriate resources to assist in 34 recovering from the suicide or attempted suicide available to pupils and staff. [:] (h) Providing counseling and other appropriate resources to pupils and school 35 36 staff who have contemplated or attempted suicide. [;] (i) Outreach to persons and organizations located in the community in which a 37 38 school that has had a suicide by a pupil, including, without limitation, religious and 39 other nonprofit organizations, that may be able to assist with the response to the 40 suicide . [;] 41 (i) Addressing the needs of pupils at a school that has experienced a crisis, emergency or suicide who are at a high risk of suicide, including, without 42 limitation, pupils who are members of the groups described in subsection 3 of NRS 43 388.256 . [; and] 44 (k) Responding to a pupil who is determined to be a person in mental health crisis, as defined in NRS 433A.0175, including, without limitation: 45 46 (1) Utilizing mobile mental health crisis response units, where available, 47 48 before transporting the pupil to a public or private mental health facility pursuant to 49 subparagraph (2); and (2) Transporting the pupil to a public or private mental health facility or 50 51 hospital for placement on a mental health crisis hold pursuant to NRS 433A.160.

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- 3. In developing the model plan, the Department shall consider the plans developed pursuant to NRS 388.243 and 394.1687 and updated pursuant to NRS 288 245 and 204 1688
- 4. The Department shall require a school district to ensure that each public school in the school district identified pursuant to paragraph (d) of subsection 2 is prepared to allow a charter school to evacuate to the school when necessary in accordance with the procedure included in the model plan developed pursuant to subsection 1. A charter school shall hold harmless, indemnify and defend the school district to which it evacuates during a crisis or an emergency against any claim or liability arising from an act or omission by the school district or an employee or officer of the school district.
- 5. The Department may disseminate to any appropriate local, state or federal agency, officer or employee, as the Department determines is necessary:
  - (a) The model plan developed by the Department pursuant to subsection 1;
- (b) A plan developed pursuant to NRS 388.243 or updated pursuant to NRS 388,245:
- (c) A plan developed pursuant to NRS 394.1687 or updated pursuant to NRS 394.1688: and
- (d) A deviation approved pursuant to NRS 388.251 or 394.1692.
- 6. The Department shall, at least once each year, review and update as appropriate the model plan developed pursuant to subsection 1.1 (Deleted by amendment.)

### Sec. 9.1. NRS 388.243 is hereby amended to read as follows:

- 388.243 1. Each emergency operations plan development committee established by the board of trustees of a school district shall develop one plan, which constitutes the minimum requirements of a plan, to be used by all the public schools other than the charter schools in the school district in responding to a crisis. emergency or suicide and all other hazards. Each emergency operations plan development committee established by the governing body of a charter school shall develop a plan, which constitutes the minimum requirements of a plan, to be used by the charter school in responding to a crisis, emergency or suicide and all other hazards. Each emergency operations plan development committee shall, when developing the plan:
- (a) Consult with local social service agencies and local public safety agencies in the county in which its school district or charter school is located.
- (b) If the school district has an emergency manager designated pursuant to NRS 388.262, consult with the emergency manager.
- (c) If the school district has school resource officers, consult with the school resource officer or a person designated by him or her.
- (d) If the school district has school police officers, consult with the chief of school police of the school district or a person designated by him or her.
- (e) Consult with the director of the local organization for emergency management or, if there is no local organization for emergency management, with the Chief of the Division of Emergency Management of the Office of the Military or his or her designee.
- (f) Consult with the State Fire Marshal or his or her designee and a representative of a local government responsible for enforcement of the ordinances, codes or other regulations governing fire safety.
- (g) Determine which persons and organizations in the community, including, without limitation, a provider of mental health services which is operated by a state or local agency, that could be made available to assist pupils and staff in recovering from a crisis, emergency or suicide.

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- 2. The plan developed pursuant to subsection 1 must include, without limitation:
- (a) The plans, procedures and information included in the model plan developed by the Department pursuant to NRS 388.253;
- (b) A procedure for responding to a crisis or an emergency and for responding during the period after a crisis or an emergency has concluded, including, without limitation, a crisis or an emergency that results in immediate physical harm to a pupil or employee of a school in the school district or the charter school;
- (c) A procedure for enforcing discipline within a school in the school district or the charter school and for obtaining and maintaining a safe and orderly environment during a crisis or an emergency;
- (d) The names of persons and organizations in the community, including, without limitation, a provider of mental health services which is operated by a state or local agency, that are available to provide counseling and other services to pupils and staff of the school to assist them in recovering from a crisis, emergency or suicide:
- (e) A plan for making the persons and organizations described in paragraph (d) available to pupils and staff after a crisis, emergency or suicide:
- (f) A procedure for responding to a crisis or an emergency that occurs during an extracurricular activity which takes place on school grounds;
- (g) A plan which includes strategies to assist pupils and staff at a school in recovering from a suicide; and
- (h) A description of the organizational structure which ensures there is a clearly defined hierarchy of authority and responsibility used by the school for the purpose of responding to a crisis, emergency or suicide.
- (i) If the school district has school police officers, a plan to coordinate with local law enforcement agencies to train school police officers in active assailant movement techniques.
- (i) In a school district which has more than 50,000 pupils enrolled in its schools, a plan to:
- (1) Coordinate with local law enforcement agencies or public safety organizations to provide active assailant trainings to each employee of the school district;
  - (2) Provide support to:
- (I) Pupils who have experienced a crisis or emergency by using trauma-informed and age-appropriate resources.
  - (II) Faculty and staff who have experienced a crisis or emergency by
- using trauma-informed resources.
  (3) Ensure that a pupil's parents or legal guardians are notified of a crisis or an emergency through any communication method established by a school, including, without limitation, communicating through text message or electronic mail.
- (4) At least twice each academic year, inform a pupil's parent or legal guardian of any state requirement related to the storage of firearms, including, without limitation, the crimes and penalties described in subsection 5 of NRS 202.300 and section 4 of this act.
- 3. Each emergency operations plan development committee shall provide for review a copy of the plan that it develops pursuant to this section to the board of trustees of the school district that established the committee or the governing body of the charter school that established the committee.
- 4. The board of trustees of the school district that established the committee or the governing body of the charter school that established the committee shall

submit for review to the Division of Emergency Management of the Office of the Military the plan developed pursuant to this section. 5. Except as otherwise provided in NRS 388.249 and 388.251, each public

school must comply with the plan developed for it pursuant to this section.

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6. As used in this section:
(a) "Active assailant movement techniques" means any training in the technical and tactical skills necessary for school police officers to respond to a crisis or emergency concerning an active assailant.

(b) "Active assailant training" means any training in responding to a crisis or emergency concerning an active assailant that is necessary to evacuate or secure the school.

NRS 388A.384 is hereby amended to read as follows: Sec. 9.2.

388A.384 1. If the governing body of a charter school makes a request to the board of trustees of the school district in which the charter school is located for the provision of school police officers pursuant to NRS 388A.378, the board of trustees of the school district must enter into a contract with the governing body for that purpose. Such a contract must provide for payment by the charter school for the provision of school police officers by the school district which must be in an amount not to exceed the actual cost to the school district of providing the officers, including, without limitation, any other costs associated with providing the officers. If the school district is the sponsor of the charter school, the contract entered into pursuant to this section must be separate from any other contract or agreement with the sponsor.

2. Any contract for the provision of school police officers pursuant to this section must be entered into between the governing body of the charter school and the board of trustees of the school district by not later than March 15 for the next school year and must provide for the provision of school police officers for not less than 3 school years.

3. A school district that enters into a contract pursuant to this section with a charter school for the provision of school police officers is immune from civil and criminal liability for any act or omission of a school police officer that provides services to the charter school pursuant to the contract.

4. The governing body of a charter school shall ensure that each school police officer receives training in active assailant movement techniques before beginning his or her service as a school police officer.

5. As used in this section, "active assailant movement techniques" has the meaning ascribed to it in NRS 388.243.

Sec. 9.3. NRS 391.281 is hereby amended to read as follows:

- 1. Each applicant for employment or appointment pursuant to this 391.281 section or employee, except a teacher or other person licensed by the Superintendent of Public Instruction, must, before beginning his or her employment or appointment and at least once every 5 years thereafter, submit to the school district:
- (a) A full set of the applicant's or employee's fingerprints and written permission authorizing the school district to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for its report on the criminal history of the applicant or employee and for submission to the Federal Bureau of Investigation for its report on the criminal history of the applicant or employee.
- (b) Written authorization for the board of trustees of the school district to obtain any information concerning the applicant or employee that may be available from the Statewide Central Registry and any equivalent registry maintained by a governmental entity in a jurisdiction in which the applicant or employee has resided within the immediately preceding 5 years.

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2. In conducting an investigation into the background of an applicant or employee, a school district may cooperate with any appropriate law enforcement agency to obtain information relating to the criminal history of the applicant or employee, including, without limitation, any record of warrants for the arrest of or applications for protective orders against the applicant or employee.

3. The board of trustees of a school district may use a substantiated report of the abuse or neglect of a child, as defined in NRS 392.281, or a violation of NRS 201.540, 201.560, 392.4633 or 394.366 obtained from the Statewide Central Registry or an equivalent registry maintained by a governmental agency in another

jurisdiction:

- (a) In making determinations concerning assignments, requiring retraining, imposing discipline, hiring or termination; and
- (b) In any proceedings to which the report is relevant, including, without limitation, an action for trespass or a restraining order.
  - 4. The board of trustees of a school district:
- (a) May accept any gifts, grants and donations to carry out the provisions of subsections 1 and 2.
- (b) May not be held liable for damages resulting from any action of the board of trustees authorized by subsection 2 or 3.
- 5. The board of trustees of a school district may employ or appoint persons to serve as school police officers. If the board of trustees of a school district employs or appoints persons to serve as school police officers, the board of trustees shall employ a law enforcement officer to serve as the chief of school police who is supervised by the superintendent of schools of the school district. The chief of school police shall supervise each person appointed or employed by the board of trustees as a school police officer, including any school police officer that provides services to a charter school pursuant to a contract entered into with the board of trustees pursuant to NRS 388A.384. In addition, persons who provide police services pursuant to subsection 6 or 7 shall be deemed school police officers.
- The board of trustees of a school district in a county that has a metropolitan police department created pursuant to chapter 280 of NRS may contract with the metropolitan police department for the provision and supervision of police services in the public schools within the jurisdiction of the metropolitan police department and on property therein that is owned by the school district and on property therein that is owned or occupied by a charter school if the board of trustees has entered into a contract with the charter school for the provision of school police officers pursuant to NRS 388A.384. If a contract is entered into pursuant to this subsection, the contract must make provision for the transfer of each school police officer employed by the board of trustees to the metropolitan police department. If the board of trustees of a school district contracts with a metropolitan police department pursuant to this subsection, the board of trustees shall, if applicable, cooperate with appropriate local law enforcement agencies within the school district for the provision and supervision of police services in the public schools within the school district, including, without limitation, any charter school with which the school district has entered into a contract for the provision of school police officers pursuant to NRS 388A.384, and on property owned by the school district and, if applicable, the property owned or occupied by the charter school, but outside the jurisdiction of the metropolitan police department.
- 7. The board of trustees of a school district in a county that does not have a metropolitan police department created pursuant to chapter 280 of NRS may contract with the sheriff of that county for the provision of police services in the public schools within the school district, including, without limitation, in any charter school with which the board of trustees has entered into a contract for the

provision of school police officers pursuant to NRS 388A.384, and on property therein that is owned by the school district and, if applicable, the property owned or occupied by the charter school.

8. The board of trustees of a school district shall ensure that each school police officer receives training in [the]:

(a) The prevention of suicide;  $an\overline{d}$ 

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(b) Active assailant movement techniques,

before beginning his or her service as a school police officer.

9. As used in this section, "active assailant movement techniques" has the meaning ascribed to it in NRS 388.243.

**Sec. 10.** Chapter 439 of NRS is hereby amended by adding thereto a new section to read as follows:

- 1. To the extent that money is available, and in consultation with the Department, the Statewide Program for Suicide Prevention shall develop and implement a safe firearm storage education campaign to inform and educate purchasers of firearms, licensed dealers, shooting ranges and safety instructors about the safe storage of firearms and state requirements related to the safe storage of firearms.
- 2. As part of the education campaign, the Statewide Program for Suicide Prevention may:
- (a) Develop and provide materials to local law enforcement agencies and health care providers to assist with educating the public about the safe storage of firearms and state requirements related to the storage of firearms;
- (b) Provide information to owners of firearms about programs that assist with the cost of purchasing locking devices for firearms, gun safes or other secure storage containers for firearms, including, without limitation, programs that provide free or reduced-price locking devices; and

(c) In furtherance of the goals of the education campaign, use any publishing, radio or other advertising medium or any other form of messaging deemed appropriate by the Department.

- 3. The Department shall provide information on the Internet or network site developed pursuant to paragraph (i) of subsection [2] 3 of NRS 439.511, information about community programs that allow owners of firearms to voluntarily and temporarily store a firearm at a secure location outside of the home, including, without limitation, a licensed dealer, gun range or law enforcement agency.
- 4. The Department may provide assistance to any local entity that facilitates a program described in subsection 3.
- 5. The Department may accept gifts, grants and donations from any source for the purpose of carrying out the provisions of this section.

**Sec. 11.** NRS 439.511 is hereby amended to read as follows:

- 439.511 1. There is hereby created within the Department a Statewide Program for Suicide Prevention. The Department shall implement the Statewide Program for Suicide Prevention, which must, without limitation:
  - (a) Create public awareness for issues relating to suicide prevention;
  - (b) Build community networks; and
- (c) Carry out training programs for suicide prevention for law enforcement personnel, providers of health care, school employees, family members of veterans, members of the military and other persons at risk of suicide and other persons who have contact with persons at risk of suicide.
- 2. The Director shall employ a Coordinator of the Statewide Program for Suicide Prevention. The Coordinator:
  - (a) Must have at least the following education and experience:

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- (1) A bachelor's degree in social work, psychology, sociology, counseling or a closely related field and 5 years or more of work experience in behavioral health or a closely related field; or (2) A master's degree or a doctoral degree in social work, psychology,
- sociology, counseling, public health or a closely related field and 2 years or more of work experience in behavioral health or a closely related field.
  - (b) Should have as many of the following characteristics as possible:
- (1) Significant professional experience in social services, mental health or a closely related field;
- (2) Knowledge of group behavior and dynamics, methods of facilitation, community development, behavioral health treatment and prevention programs, and community-based behavioral health problems;
- (3) Experience in working with diverse community groups and constituents; and
  - (4) Experience in writing grants and technical reports.
  - The Coordinator shall:
- (a) Provide educational activities to the general public relating to suicide prevention:
- (b) Provide training to persons who, as part of their usual routine, have face-toface contact with persons who may be at risk of suicide, including, without limitation, training to recognize persons at risk of suicide and providing information on how to refer those persons for treatment or supporting services, as appropriate;
- (c) To the extent that money is available for this purpose, provide training to family members of veterans, members of the military and other persons at risk of suicide, including, without limitation, training in recognizing and productively interacting with persons at risk of suicide and the manner in which to refer those persons to persons professionally trained in suicide intervention and prevention;
- (d) Develop and carry out public awareness and media campaigns in each county targeting groups of persons who are at risk of suicide;
  - (e) Enhance crisis services relating to suicide prevention;
- (f) Link persons trained in the assessment of and intervention in suicide with schools, public community centers, nursing homes and other facilities serving persons most at risk of suicide:
- (g) Coordinate the establishment of local advisory groups in each county to support the efforts of the Statewide Program;
- (h) Work with groups advocating suicide prevention, community coalitions, managers of existing crisis hotlines that are nationally accredited or certified, and staff members of mental health agencies in this State to identify and address the barriers that interfere with providing services to groups of persons who are at risk of suicide, including, without limitation, elderly persons, Native Americans, youths and residents of rural communities:
- (i) Develop and maintain an Internet or network site with links to appropriate resource documents, suicide hotlines that are nationally accredited or certified, licensed professional personnel, state and local mental health agencies and appropriate national organizations;
- (j) Post on the Internet or network site developed and maintained pursuant to paragraph (i) any applicable law relating to the funsafel negligent storage of a firearm, including, without limitation, the crimes and penalties described in [sections 3] subsection 5 of NRS 202.300 and section 4 of this act;
- (k) Review current research on data collection for factors related to suicide and develop recommendations for improved systems of surveillance and uniform collection of data:

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- Federal Government and nongovernmental organizations: fand (h) Oversee and provide technical assistance to each person employed to
- act as a trainer for suicide prevention pursuant to NRS 439.513 ; and

(k) Develop and submit proposals for funding from agencies of the

- (n) Develop and provide to licensed dealers, shooting ranges, safety instructors and health care providers an information pamphlet which includes information about any applicable law relating to the funsafel negligent storage of a firearm, including, without limitation, [sections 3 and] subsection 5 of NRS 202.300 and section 4 of this act.
  - 4. As used in this section:
- (a) "Internet or network site" means any identifiable site on the Internet or on a network and includes, without limitation:
  - (1) A website or other similar site on the World Wide Web:
  - (2) A site that is identifiable through a Uniform Resource Locator; and
- (3) A site on a network that is owned, operated, administered or controlled by a provider of Internet service.
- (b) "Systems of surveillance" means systems pursuant to which the health conditions of the general public are regularly monitored through systematic collection, evaluation and reporting of measurable information to identify and understand trends relating to suicide.
  - Sec. 12. [NRS 502.010 is hereby amended to read as follows:
- 1. A person who hunts or fishes any wildlife without having procured a license or permit to do so, as provided in this title, is guilty misdemeanor, except that:
- (a) A license to hunt or fish is not required of a resident of this State who is under 12 years of age, unless required for the issuance of tags as prescribed in this title or by the regulations of the Commission.
- (b) A license to fish is not required of a nonresident of this State who is under 12 years of age, but the number of fish taken by the nonresident must not exceed 50 percent of the daily creel and possession limits as provided by law.
- (c) Except as otherwise provided in subsection [6] 5 or [7] 6 of NRS 202.300 and NRS 502.066, it is unlawful for any child who is under 18 years of age to hunt any wildlife with any firearm, unless the child is accompanied at all times by the child's parent or guardian or is accompanied at all times by an adult person authorized by the child's parent or guardian to have control or custody of the child
- to hunt if the authorized person is also licensed to hunt.

   (d) A child under 12 years of age, whether accompanied by a qualified person or not, shall not hunt big game in the State of Nevada unless he or she participates in a program established pursuant to NRS 502.104. This section does not prohibit any child from accompanying an adult licensed to hunt.
  - (e) The Commission may adopt regulations setting forth:
- (1) The species of wildlife which may be hunted or trapped without license or permit; or
- (2) The circumstances under which a person may fish without a license, permit or stamp in a lake or pond that is located entirely on private property and is stocked with lawfully acquired fish.
- (f) The Commission may declare 1 day per year as a day upon which persons may fish without a license to do so.
- 2. This section does not apply to the protection of persons or property from unprotected wildlife on or in the immediate vicinity of home or ranch premises.] (Deleted by amendment.)
  - **Sec. 13.** This act becomes effective on July 1, 2023.