

SENATE BILL NO. 347—SENATORS SCHEIBLE,  
CANNIZZARO; DONDERO LOOP AND PAZINA

MARCH 13, 2025

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to mental health crisis holds. (BDR 39-8)

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 public safety; establishing procedures governing the confiscation and return of firearms involving persons placed on a mental health crisis hold; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law provides that an officer authorized to make arrests in this State and certain providers of health care who, based on personal observation of a person, have probable cause to believe that the person is in a mental health crisis, may place the person on a mental health crisis hold. (NRS 433A.160) Under existing law, a mental health crisis hold is the detention of a person alleged to be a person in a mental health crisis for transport, assessment, evaluation, intervention and treatment, which generally may last not more than 72 hours. (NRS 433A.0175, 433A.150)

This bill authorizes an officer who places a person on a mental health crisis hold to immediately confiscate a firearm owned or possessed by the person and requires the officer, at the time that the firearm is confiscated, to provide the person with a receipt which describes the firearm and a notice which sets forth the procedures governing the return of the firearm.

This bill also requires an administrative officer of a public or private mental health facility or hospital, upon the release of a person who was placed on a mental health crisis hold, to: (1) provide the person with a notice of the procedures governing the return of a confiscated firearm; (2) maintain certain records related to the provision of the notice; and (3) inform the law enforcement agency involved in the placement of the person on the mental health crisis hold of the release of the person.

This bill requires the law enforcement agency retaining custody of the confiscated firearm, not later than 30 days after the release of the person from the public or private mental health facility or hospital, to: (1) file a petition with the clerk of the district court to determine whether the return of the firearm to the



25 person would result in the substantial likelihood of serious harm to the person or  
26 others; and (2) provide a notice advising the person of the procedure for requesting  
27 a hearing on the matter and the potential consequences of failing to request such a  
28 hearing.

29 Finally, this bill provides that if a court determines that the return of a firearm  
30 would result in a substantial likelihood of serious harm to the person or others or if  
31 the court enters an order of default in the matter, the court may authorize the law  
32 enforcement agency retaining custody of the confiscated firearm to take certain  
33 actions relating to the retention, sale, destruction, trade or donation of the firearm.

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

1 **Section 1.** Chapter 433A of NRS is hereby amended by  
2 adding thereto a new section to read as follows:

3 *1. An officer authorized to make arrests in the State of*  
4 *Nevada who places a person on a mental health crisis hold*  
5 *pursuant to NRS 433A.160 may immediately confiscate any*  
6 *firearm found to be owned or possessed by the person and the law*  
7 *enforcement agency of the officer shall:*

8 *(a) Retain custody of the firearm until a court makes a*  
9 *determination pursuant to subsection 7; or*

10 *(b) Make the firearm available for return to the person*  
11 *pursuant to subsection 8.*

12 *2. If an officer confiscates a firearm from a person placed on*  
13 *a mental health crisis hold pursuant to subsection 1, the officer*  
14 *shall immediately provide the person with:*

15 *(a) A receipt which includes a description of the firearm; and*

16 *(b) A notice describing the procedures set forth in this section*  
17 *for the return of the firearm.*

18 *3. Upon the release of a person placed on a mental health*  
19 *crisis hold pursuant to NRS 433A.195, an administrative officer of*  
20 *the public or private mental health facility or hospital shall:*

21 *(a) Provide the person with a notice describing the procedures*  
22 *set forth in this section for the return of the firearm;*

23 *(b) Maintain a record documenting the compliance of the*  
24 *public or private mental health facility or hospital with paragraph*  
25 *(a); and*

26 *(c) Inform the law enforcement agency of the officer who*  
27 *confiscated the firearm pursuant to subsection 1 that the person*  
28 *placed on the mental health crisis hold has been released from the*  
29 *public or private mental health facility or hospital.*

30 *4. A law enforcement agency retaining custody of a firearm*  
31 *pursuant to subsection 1 shall, not later than 30 days after the*  
32 *release of the person by the public or private mental health facility*  
33 *or hospital:*



1 (a) File with the clerk of the district court of the county where  
2 the person resides a petition to determine whether the return of the  
3 firearm would result in a substantial likelihood of serious harm to  
4 the person or others, as determined pursuant to NRS 433A.0195;  
5 and

6 (b) Provide a notice to the person advising that:

7 (1) The person has a right to a hearing on the petition  
8 described in paragraph (a);

9 (2) If the person desires to have a hearing on the petition,  
10 the person must, not later than 30 days after receiving the notice,  
11 respond to the clerk described in paragraph (a) to request the  
12 scheduling of the hearing; and

13 (3) If the person fails to respond to the notice in accordance  
14 with subparagraph (2), the court may issue an order of default and  
15 authorize the law enforcement agency to take any action described  
16 in subsection 2 of NRS 202.340 as it relates to the confiscated  
17 firearm.

18 5. If a person requests the scheduling of a hearing on the  
19 petition in accordance with subsection 4, the clerk of the district  
20 court shall:

21 (a) Transmit the petition to the appropriate district judge, who  
22 shall set a time, date and place for the hearing, which must be not  
23 more than 30 days after the date that the request was received by  
24 the clerk; and

25 (b) Provide notice of the date, time and place of the hearing to  
26 the person requesting the hearing and the law enforcement agency  
27 retaining custody of the confiscated firearm.

28 6. If a person does not request the scheduling of a hearing on  
29 the petition in accordance with subsection 4, the law enforcement  
30 agency retaining custody of the confiscated firearm may file with  
31 the clerk of the district court in the county where the person  
32 resides a petition for an order of default.

33 7. If a court determines that the return of the firearm would  
34 result in a substantial likelihood of serious harm to the person or  
35 others pursuant to NRS 433A.0195 or enters an order of default  
36 pursuant to subsection 6, the court may authorize the law  
37 enforcement agency to take any action described in subsection 2 of  
38 NRS 202.340 relating to the confiscated firearm.

39 8. A law enforcement agency that does not file a petition in  
40 the time described in subsection 4 shall make the firearm available  
41 for return to the person from whom the firearm was confiscated  
42 pursuant to subsection 1.

43 **Sec. 2.** This act becomes effective on July 1, 2025.



