

Senate Bill No. 294—Senators Donate; Flores,
D. Harris and Scheible

Joint Sponsor: Assemblywoman Bilbray-Axelrod

CHAPTER.....

AN ACT relating to 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 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 4 of this bill 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 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 to establish a development committee to develop a plan to be used by the schools in the district or the charter school 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 9.1 of this bill requires such 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. **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 employees of a school; (2) provide certain support to pupils and members of the faculty and staff who have experienced a crisis or emergency; (3) ensure that members of the faculty and staff and a pupil's parents or legal guardians are notified of the occurrence, development and conclusion 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 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 negligent storage of a firearm; (2) the penalties for such an offense; and (3) the requirement that a licensed dealer provide a locking device with each firearm transferred. **Section 11** also requires the Coordinator to develop and provide to certain persons an informational pamphlet which includes certain information about the offense of negligent storage of a firearm.

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

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 2, 3 and 4 of this act.

Secs. 2 and 3. (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

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 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" 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 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.

3. "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.

5. "Firearms importer or manufacturer" means a person licensed to import or manufacture firearms pursuant to 18 U.S.C. Chapter 44.

6. "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.
8. "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.
9. "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.

Secs. 6-9. (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.

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 ~~and~~;



(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;

(j) A plan to coordinate with local law enforcement agencies or public safety organizations to provide active assailant trainings to each employee of the school;

(k) A plan to provide support to:

(1) Pupils who have experienced a crisis or emergency by using trauma-informed and age-appropriate resources; and

(2) Members of the faculty and staff who have experienced a crisis or emergency by using trauma-informed resources;

(l) A plan to ensure that members of the faculty and staff and a pupil's parents or legal guardians are notified of the occurrence, development and conclusion of a crisis or an emergency through any communication method established by a school, including, without limitation, communicating through text message or electronic mail; and

(m) A plan to inform, at least twice each academic year, 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.

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.



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

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:

391.281 1. Each applicant for employment or appointment pursuant to this 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.

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.



6. 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 ; and*
- (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 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:

(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.

3. 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-to-face 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 negligent storage of a firearm, including, without limitation, the crimes and penalties described in 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;

~~(l)~~ (l) Develop and submit proposals for funding from agencies of the Federal Government and nongovernmental organizations; ~~and~~

~~(m)~~ (m) Oversee and provide technical assistance to each person employed to act as a trainer for suicide prevention pursuant to NRS 439.513 ~~H~~; *and*

(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 negligent storage of a firearm, including, without limitation, 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. (Deleted by amendment.)

Sec. 13. This act becomes effective on July 1, 2023.



