
ASSEMBLY BILL NO. 144—ASSEMBLYMEN LEAVITT, TITUS,
DICKMAN, ELLISON, WHEELER; HAFEN, HANSEN, HARDY,
KASAMA, MATTHEWS, MCARTHUR AND O’NEILL

FEBRUARY 16, 2021

JOINT SPONSORS: SENATORS HARDY, BUCK;
HAMMOND AND KIECKHEFER

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to background checks for certain sales or transfers of firearms. (BDR 15-699)

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 firearms; revising certain exceptions to the requirement to conduct a background check when an unlicensed person is selling or transferring a firearm; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law generally prohibits an unlicensed person from selling or
2 transferring a firearm to another unlicensed person unless a licensed dealer first
3 conducts a background check on the buyer or transferee, with certain exceptions.
4 (NRS 202.2547) One such exception is that a background check is not required to
5 be conducted for the sale or transfer of a firearm by or to: (1) any law enforcement
6 agency; and (2) to the extent he or she is acting within the course and scope of his
7 or her employment and official duties, any peace officer, security guard entitled to
8 carry a firearm under NAC 648.345, member of the armed forces or federal official.
9 (NRS 202.2548) This bill revises that exception with respect to the sale or transfer
10 of a firearm by or to a peace officer by: (1) removing the requirement that the peace
11 officer be acting within the course and scope of his or her employment and official
12 duties; and (2) adding the requirement that the peace officer be employed by a law
13 enforcement agency and in good standing.



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

1 **Section 1.** NRS 202.2548 is hereby amended to read as
2 follows:

3 202.2548 The provisions of NRS 202.2547 do not apply to:

4 1. The sale or transfer of a firearm by or to any law
5 enforcement agency and, to the extent he or she is acting within the
6 course and scope of his or her employment and official duties, any
7 ~~peace officer,~~ security guard entitled to carry a firearm under NAC
8 648.345, member of the armed forces or federal official.

9 2. *The sale or transfer of a firearm by or to any peace officer*
10 *who is:*

11 (a) *Employed by a law enforcement agency; and*

12 (b) *In good standing. A peace officer shall be deemed to be in*
13 *good standing if the peace officer is not currently suspended*
14 *without pay.*

15 3. The sale or transfer of an antique firearm, as defined in 18
16 U.S.C. § 921(a)(16).

17 ~~3.~~ 4. The sale or transfer of a firearm between immediate
18 family members, which for the purposes of this section means
19 spouses and domestic partners and any of the following relations,
20 whether by whole or half blood, adoption, or step-relation: parents,
21 children, siblings, grandparents, grandchildren, aunts, uncles, nieces
22 and nephews.

23 ~~4.~~ 5. The transfer of a firearm to an executor, administrator,
24 trustee or personal representative of an estate or a trust that occurs
25 by operation of law upon the death of the former owner of the
26 firearm.

27 ~~5.~~ 6. A temporary transfer of a firearm to a person who is not
28 prohibited from buying or possessing firearms under state or federal
29 law if such transfer:

30 (a) Is necessary to prevent imminent death or great bodily harm;
31 and

32 (b) Lasts only as long as immediately necessary to prevent such
33 imminent death or great bodily harm.

34 ~~6.~~ 7. A temporary transfer of a firearm if:

35 (a) The transferor has no reason to believe that the transferee is
36 prohibited from buying or possessing firearms under state or federal
37 law;

38 (b) The transferor has no reason to believe that the transferee
39 will use or intends to use the firearm in the commission of a crime;
40 and

41 (c) Such transfer occurs and the transferee's possession of the
42 firearm following the transfer is exclusively:



1 (1) At an established shooting range authorized by the
2 governing body of the jurisdiction in which such range is located;

3 (2) At a lawful organized competition involving the use of a
4 firearm;

5 (3) While participating in or practicing for a performance by
6 an organized group that uses firearms as a part of the public
7 performance;

8 (4) While hunting or trapping if the hunting or trapping is
9 legal in all places where the transferee possesses the firearm and the
10 transferee holds all licenses or permits required for such hunting or
11 trapping; or

12 (5) While in the presence of the transferor.

13 **Sec. 2.** This act becomes effective on July 1, 2021.



