

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.

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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; 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. 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 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



1 4. "Firearm capable of being concealed upon the person"
2 applies to and includes all firearms having a barrel less than 12
3 inches in length.

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

7 6. "Machine gun" means any weapon which shoots, is
8 designed to shoot or can be readily restored to shoot more than one
9 shot, without manual reloading, by a single function of the trigger.

10 7. "Motor vehicle" means every vehicle that is self-propelled.

11 8. "Semiautomatic firearm" means any firearm that:

12 (a) Uses a portion of the energy of a firing cartridge to extract
13 the fired cartridge case and chamber the next shell or round;

14 (b) Requires a separate function of the trigger to fire each
15 cartridge; and

16 (c) Is not a machine gun.

17 9. "Unfinished frame or receiver" means a blank, a casting or a
18 machined body that is intended to be turned into the frame or lower
19 receiver of a firearm with additional machining and which has been
20 formed or machined to the point at which most of the major
21 machining operations have been completed to turn the blank, casting
22 or machined body into a frame or lower receiver of a firearm even if
23 the fire-control cavity area of the blank, casting or machined body is
24 still completely solid and unmachined.

25 **Sec. 6.** (Deleted by amendment.)

26 **Sec. 7.** (Deleted by amendment.)

27 **Sec. 8.** (Deleted by amendment.)

28 **Sec. 9.** (Deleted by amendment.)

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

30 388.243 1. Each emergency operations plan development
31 committee established by the board of trustees of a school district
32 shall develop one plan, which constitutes the minimum requirements
33 of a plan, to be used by all the public schools other than the charter
34 schools in the school district in responding to a crisis, emergency or
35 suicide and all other hazards. Each emergency operations plan
36 development committee established by the governing body of a
37 charter school shall develop a plan, which constitutes the minimum
38 requirements of a plan, to be used by the charter school in
39 responding to a crisis, emergency or suicide and all other hazards.
40 Each emergency operations plan development committee shall,
41 when developing the plan:

42 (a) Consult with local social service agencies and local public
43 safety agencies in the county in which its school district or charter
44 school is located.



1 (b) If the school district has an emergency manager designated
2 pursuant to NRS 388.262, consult with the emergency manager.

3 (c) If the school district has school resource officers, consult
4 with the school resource officer or a person designated by him or
5 her.

6 (d) If the school district has school police officers, consult with
7 the chief of school police of the school district or a person
8 designated by him or her.

9 (e) Consult with the director of the local organization for
10 emergency management or, if there is no local organization for
11 emergency management, with the Chief of the Division of
12 Emergency Management of the Office of the Military or his or her
13 designee.

14 (f) Consult with the State Fire Marshal or his or her designee
15 and a representative of a local government responsible for
16 enforcement of the ordinances, codes or other regulations governing
17 fire safety.

18 (g) Determine which persons and organizations in the
19 community, including, without limitation, a provider of mental
20 health services which is operated by a state or local agency, that
21 could be made available to assist pupils and staff in recovering from
22 a crisis, emergency or suicide.

23 2. The plan developed pursuant to subsection 1 must include,
24 without limitation:

25 (a) The plans, procedures and information included in the model
26 plan developed by the Department pursuant to NRS 388.253;

27 (b) A procedure for responding to a crisis or an emergency and
28 for responding during the period after a crisis or an emergency has
29 concluded, including, without limitation, a crisis or an emergency
30 that results in immediate physical harm to a pupil or employee of a
31 school in the school district or the charter school;

32 (c) A procedure for enforcing discipline within a school in the
33 school district or the charter school and for obtaining and
34 maintaining a safe and orderly environment during a crisis or an
35 emergency;

36 (d) The names of persons and organizations in the community,
37 including, without limitation, a provider of mental health services
38 which is operated by a state or local agency, that are available to
39 provide counseling and other services to pupils and staff of the
40 school to assist them in recovering from a crisis, emergency or
41 suicide;

42 (e) A plan for making the persons and organizations described in
43 paragraph (d) available to pupils and staff after a crisis, emergency
44 or suicide;



1 (f) A procedure for responding to a crisis or an emergency that
2 occurs during an extracurricular activity which takes place on school
3 grounds;

4 (g) A plan which includes strategies to assist pupils and staff at a
5 school in recovering from a suicide; and

6 (h) A description of the organizational structure which ensures
7 there is a clearly defined hierarchy of authority and responsibility
8 used by the school for the purpose of responding to a crisis,
9 emergency or suicide.

10 *(i) If the school district has school police officers, a plan to*
11 *coordinate with local law enforcement agencies to train school*
12 *police officers in active assailant movement techniques.*

13 *(j) In a school district which has more than 50,000 pupils*
14 *enrolled in its schools, a plan to:*

15 *(1) Coordinate with local law enforcement agencies or*
16 *public safety organizations to provide active assailant trainings to*
17 *each employee of the school district;*

18 *(2) Provide support to:*

19 *(I) Pupils who have experienced a crisis or emergency*
20 *by using trauma-informed and age-appropriate resources.*

21 *(II) Faculty and staff who have experienced a crisis or*
22 *emergency by using trauma-informed resources.*

23 *(3) Ensure that a pupil's parents or legal guardians are*
24 *notified of a crisis or an emergency through any communication*
25 *method established by a school, including, without limitation,*
26 *communicating through text message or electronic mail.*

27 *(4) At least twice each academic year, inform a pupil's*
28 *parent or legal guardian of any state requirement related to the*
29 *storage of firearms, including, without limitation, the crimes and*
30 *penalties described in subsection 5 of NRS 202.300 and section 4*
31 *of this act.*

32 3. Each emergency operations plan development committee
33 shall provide for review a copy of the plan that it develops pursuant
34 to this section to the board of trustees of the school district that
35 established the committee or the governing body of the charter
36 school that established the committee.

37 4. The board of trustees of the school district that established
38 the committee or the governing body of the charter school that
39 established the committee shall submit for review to the Division of
40 Emergency Management of the Office of the Military the plan
41 developed pursuant to this section.

42 5. Except as otherwise provided in NRS 388.249 and 388.251,
43 each public school must comply with the plan developed for it
44 pursuant to this section.

45 **6. As used in this section:**



1 (a) *“Active assailant movement techniques” means any*
2 *training in the technical and tactical skills necessary for school*
3 *police officers to respond to a crisis or emergency concerning an*
4 *active assailant.*

5 (b) *“Active assailant training” means any training in*
6 *responding to a crisis or emergency concerning an active assailant*
7 *that is necessary to evacuate or secure the school.*

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

10 388A.384 1. If the governing body of a charter school makes
11 a request to the board of trustees of the school district in which the
12 charter school is located for the provision of school police officers
13 pursuant to NRS 388A.378, the board of trustees of the school
14 district must enter into a contract with the governing body for that
15 purpose. Such a contract must provide for payment by the charter
16 school for the provision of school police officers by the school
17 district which must be in an amount not to exceed the actual cost to
18 the school district of providing the officers, including, without
19 limitation, any other costs associated with providing the officers. If
20 the school district is the sponsor of the charter school, the contract
21 entered into pursuant to this section must be separate from any other
22 contract or agreement with the sponsor.

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

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

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

38 5. *As used in this section, “active assailant movement*
39 *techniques” has the meaning ascribed to it in NRS 388.243.*

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

41 391.281 1. Each applicant for employment or appointment
42 pursuant to this section or employee, except a teacher or other
43 person licensed by the Superintendent of Public Instruction, must,
44 before beginning his or her employment or appointment and at least
45 once every 5 years thereafter, submit to the school district:



1 (a) A full set of the applicant's or employee's fingerprints and
2 written permission authorizing the school district to forward the
3 fingerprints to the Central Repository for Nevada Records of
4 Criminal History for its report on the criminal history of the
5 applicant or employee and for submission to the Federal Bureau of
6 Investigation for its report on the criminal history of the applicant or
7 employee.

8 (b) Written authorization for the board of trustees of the school
9 district to obtain any information concerning the applicant or
10 employee that may be available from the Statewide Central Registry
11 and any equivalent registry maintained by a governmental entity in a
12 jurisdiction in which the applicant or employee has resided within
13 the immediately preceding 5 years.

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

20 3. The board of trustees of a school district may use a
21 substantiated report of the abuse or neglect of a child, as defined in
22 NRS 392.281, or a violation of NRS 201.540, 201.560, 392.4633 or
23 394.366 obtained from the Statewide Central Registry or an
24 equivalent registry maintained by a governmental agency in another
25 jurisdiction:

26 (a) In making determinations concerning assignments, requiring
27 retraining, imposing discipline, hiring or termination; and

28 (b) In any proceedings to which the report is relevant, including,
29 without limitation, an action for trespass or a restraining order.

30 4. The board of trustees of a school district:

31 (a) May accept any gifts, grants and donations to carry out the
32 provisions of subsections 1 and 2.

33 (b) May not be held liable for damages resulting from any action
34 of the board of trustees authorized by subsection 2 or 3.

35 5. The board of trustees of a school district may employ or
36 appoint persons to serve as school police officers. If the board of
37 trustees of a school district employs or appoints persons to serve as
38 school police officers, the board of trustees shall employ a law
39 enforcement officer to serve as the chief of school police who is
40 supervised by the superintendent of schools of the school district.
41 The chief of school police shall supervise each person appointed or
42 employed by the board of trustees as a school police officer,
43 including any school police officer that provides services to a
44 charter school pursuant to a contract entered into with the board of
45 trustees pursuant to NRS 388A.384. In addition, persons who



1 provide police services pursuant to subsection 6 or 7 shall be
2 deemed school police officers.

3 6. The board of trustees of a school district in a county that has
4 a metropolitan police department created pursuant to chapter 280 of
5 NRS may contract with the metropolitan police department for the
6 provision and supervision of police services in the public schools
7 within the jurisdiction of the metropolitan police department and on
8 property therein that is owned by the school district and on property
9 therein that is owned or occupied by a charter school if the board of
10 trustees has entered into a contract with the charter school for the
11 provision of school police officers pursuant to NRS 388A.384. If a
12 contract is entered into pursuant to this subsection, the contract must
13 make provision for the transfer of each school police officer
14 employed by the board of trustees to the metropolitan police
15 department. If the board of trustees of a school district contracts
16 with a metropolitan police department pursuant to this subsection,
17 the board of trustees shall, if applicable, cooperate with appropriate
18 local law enforcement agencies within the school district for the
19 provision and supervision of police services in the public schools
20 within the school district, including, without limitation, any charter
21 school with which the school district has entered into a contract for
22 the provision of school police officers pursuant to NRS 388A.384,
23 and on property owned by the school district and, if applicable, the
24 property owned or occupied by the charter school, but outside the
25 jurisdiction of the metropolitan police department.

26 7. The board of trustees of a school district in a county that
27 does not have a metropolitan police department created pursuant to
28 chapter 280 of NRS may contract with the sheriff of that county for
29 the provision of police services in the public schools within the
30 school district, including, without limitation, in any charter school
31 with which the board of trustees has entered into a contract for the
32 provision of school police officers pursuant to NRS 388A.384, and
33 on property therein that is owned by the school district and, if
34 applicable, the property owned or occupied by the charter school.

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

37 (a) *The prevention of suicide ; and*

38 (b) *Active assailant movement techniques,*

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

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

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

44 1. *To the extent that money is available, and in consultation*
45 *with the Department, the Statewide Program for Suicide*



1 *Prevention shall develop and implement a safe firearm storage*
2 *education campaign to inform and educate purchasers of*
3 *firearms, licensed dealers, shooting ranges and safety instructors*
4 *about the safe storage of firearms and state requirements related*
5 *to the safe storage of firearms.*

6 *2. As part of the education campaign, the Statewide Program*
7 *for Suicide Prevention may:*

8 *(a) Develop and provide materials to local law enforcement*
9 *agencies and health care providers to assist with educating the*
10 *public about the safe storage of firearms and state requirements*
11 *related to the storage of firearms;*

12 *(b) Provide information to owners of firearms about programs*
13 *that assist with the cost of purchasing locking devices for firearms,*
14 *gun safes or other secure storage containers for firearms,*
15 *including, without limitation, programs that provide free or*
16 *reduced-price locking devices; and*

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

20 *3. The Department shall provide information on the Internet*
21 *or network site developed pursuant to paragraph (i) of subsection*
22 *3 of NRS 439.511, information about community programs that*
23 *allow owners of firearms to voluntarily and temporarily store a*
24 *firearm at a secure location outside of the home, including,*
25 *without limitation, a licensed dealer, gun range or law*
26 *enforcement agency.*

27 *4. The Department may provide assistance to any local entity*
28 *that facilitates a program described in subsection 3.*

29 *5. The Department may accept gifts, grants and donations*
30 *from any source for the purpose of carrying out the provisions of*
31 *this section.*

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

33 439.511 1. There is hereby created within the Department a
34 Statewide Program for Suicide Prevention. The Department shall
35 implement the Statewide Program for Suicide Prevention, which
36 must, without limitation:

37 (a) Create public awareness for issues relating to suicide
38 prevention;

39 (b) Build community networks; and

40 (c) Carry out training programs for suicide prevention for law
41 enforcement personnel, providers of health care, school employees,
42 family members of veterans, members of the military and other
43 persons at risk of suicide and other persons who have contact with
44 persons at risk of suicide.



1 2. The Director shall employ a Coordinator of the Statewide
2 Program for Suicide Prevention. The Coordinator:

3 (a) Must have at least the following education and experience:

4 (1) A bachelor's degree in social work, psychology,
5 sociology, counseling or a closely related field and 5 years or more
6 of work experience in behavioral health or a closely related field; or

7 (2) A master's degree or a doctoral degree in social work,
8 psychology, sociology, counseling, public health or a closely related
9 field and 2 years or more of work experience in behavioral health or
10 a closely related field.

11 (b) Should have as many of the following characteristics as
12 possible:

13 (1) Significant professional experience in social services,
14 mental health or a closely related field;

15 (2) Knowledge of group behavior and dynamics, methods of
16 facilitation, community development, behavioral health treatment
17 and prevention programs, and community-based behavioral health
18 problems;

19 (3) Experience in working with diverse community groups
20 and constituents; and

21 (4) Experience in writing grants and technical reports.

22 3. The Coordinator shall:

23 (a) Provide educational activities to the general public relating to
24 suicide prevention;

25 (b) Provide training to persons who, as part of their usual
26 routine, have face-to-face contact with persons who may be at risk
27 of suicide, including, without limitation, training to recognize
28 persons at risk of suicide and providing information on how to refer
29 those persons for treatment or supporting services, as appropriate;

30 (c) To the extent that money is available for this purpose,
31 provide training to family members of veterans, members of the
32 military and other persons at risk of suicide, including, without
33 limitation, training in recognizing and productively interacting with
34 persons at risk of suicide and the manner in which to refer those
35 persons to persons professionally trained in suicide intervention and
36 prevention;

37 (d) Develop and carry out public awareness and media
38 campaigns in each county targeting groups of persons who are at
39 risk of suicide;

40 (e) Enhance crisis services relating to suicide prevention;

41 (f) Link persons trained in the assessment of and intervention in
42 suicide with schools, public community centers, nursing homes and
43 other facilities serving persons most at risk of suicide;

44 (g) Coordinate the establishment of local advisory groups in
45 each county to support the efforts of the Statewide Program;



1 (h) Work with groups advocating suicide prevention,
2 community coalitions, managers of existing crisis hotlines that are
3 nationally accredited or certified, and staff members of mental
4 health agencies in this State to identify and address the barriers that
5 interfere with providing services to groups of persons who are at
6 risk of suicide, including, without limitation, elderly persons, Native
7 Americans, youths and residents of rural communities;

8 (i) Develop and maintain an Internet or network site with links
9 to appropriate resource documents, suicide hotlines that are
10 nationally accredited or certified, licensed professional personnel,
11 state and local mental health agencies and appropriate national
12 organizations;

13 (j) *Post on the Internet or network site developed and*
14 *maintained pursuant to paragraph (i) any applicable law relating*
15 *to the negligent storage of a firearm, including, without limitation,*
16 *the crimes and penalties described in subsection 5 of NRS 202.300*
17 *and section 4 of this act;*

18 (k) Review current research on data collection for factors related
19 to suicide and develop recommendations for improved systems of
20 surveillance and uniform collection of data;

21 ~~[(k)]~~ (l) Develop and submit proposals for funding from
22 agencies of the Federal Government and nongovernmental
23 organizations; ~~and~~

24 ~~—(A)]~~ (m) Oversee and provide technical assistance to each person
25 employed to act as a trainer for suicide prevention pursuant to NRS
26 439.513 ~~[(j)]~~; ~~and~~

27 (n) *Develop and provide to licensed dealers, shooting ranges,*
28 *safety instructors and health care providers an information*
29 *pamphlet which includes information about any applicable law*
30 *relating to the negligent storage of a firearm, including, without*
31 *limitation, subsection 5 of NRS 202.300 and section 4 of this act.*

32 4. As used in this section:

33 (a) “Internet or network site” means any identifiable site on the
34 Internet or on a network and includes, without limitation:

35 (1) A website or other similar site on the World Wide Web;

36 (2) A site that is identifiable through a Uniform Resource
37 Locator; and

38 (3) A site on a network that is owned, operated, administered
39 or controlled by a provider of Internet service.

40 (b) “Systems of surveillance” means systems pursuant to which
41 the health conditions of the general public are regularly monitored
42 through systematic collection, evaluation and reporting of
43 measurable information to identify and understand trends relating to
44 suicide.

45 **Sec. 12.** (Deleted by amendment.)



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

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