

ASSEMBLY BILL NO. 354—ASSEMBLYWOMAN JAUREGUI

MARCH 20, 2023

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to firearms. (BDR 15-251)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility. 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; prohibiting, under certain circumstances, the possession of a firearm in or within a certain distance of an election site; revising the definition of the term “unfinished frame or receiver”; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law prohibits a person from carrying or possessing certain weapons on the property of the Nevada System of Higher Education, a private or public school or a child care facility, or while in a vehicle of a private or public school or child care facility. (NRS 202.265) **Section 1** of this bill additionally prohibits a person from possessing or causing a firearm to be present in, or within 100 yards of an entrance to, a place the person knows or reasonably should know is an election site, unless the person: (1) is a law enforcement officer engaged in the performance of his or her official duties; (2) is a private guard or security personnel hired by the owner of the facility or property in which the election site is located; (3) possesses the firearm while in a vehicle, so long as the person does not brandish the firearm or remove the firearm from the vehicle; or (4) lawfully possesses a firearm in a place of residence, in a business or on private property that is located within 100 yards of an entrance to an election site. Under **section 1**, a person who violates this prohibition is guilty of a gross misdemeanor, except that if the person knowingly possesses a firearm or causes a firearm to be present with the specific intent to disrupt, interfere with or monitor the administration of the election, the counting of votes or any person who is voting or attempting to vote, then the person is guilty of a category D felony.

Existing law prohibits a person from selling, offering to sell or transferring an unfinished frame or receiver unless: (1) the person is a firearms importer or manufacturer, and the recipient of the unfinished frame or receiver is a firearms



22 importer or manufacturer; or (2) the unfinished frame or receiver is required by  
23 federal law to be imprinted with a serial number issued by an importer or  
24 manufacturer, and the unfinished frame or receiver has been imprinted with the  
25 serial number. Existing law also prohibits a person from possessing, purchasing,  
26 transporting or receiving an unfinished frame or receiver unless: (1) the person is a  
27 firearms importer or manufacturer; or (2) the unfinished frame or receiver is  
28 required by federal law to be imprinted with a serial number issued by a firearms  
29 importer or manufacturer, and the unfinished frame or receiver has been imprinted  
30 with the serial number. (NRS 202.3625, 202.363) Existing law defines the term  
31 “unfinished frame or receiver” for the purposes of these prohibitions. (NRS  
32 202.253) **Section 2** of this bill revises the definition of the term “unfinished frame  
33 or receiver” as used in these prohibitions in existing law.

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

1 **Section 1.** Chapter 202 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3 *1. Except as otherwise provided in subsection 2, a person*  
4 *shall not possess or cause a firearm to be present in, or within 100*  
5 *yards of the entrance of, a place the person knows or reasonably*  
6 *should know is an election site.*

7 *2. The provisions of subsection 1 do not apply to:*

8 *(a) A law enforcement officer who is employed by a federal,*  
9 *state or local law enforcement agency and carrying out official*  
10 *duties.*

11 *(b) A private guard or security personnel hired or arranged for*  
12 *by the owner or manager of the facility or property in which the*  
13 *election site is located.*

14 *(c) The possession of a firearm in a vehicle that is located*  
15 *within 100 yards of an entrance to an election site, so long as the*  
16 *person does not brandish the firearm or remove the firearm from*  
17 *the vehicle.*

18 *(d) The otherwise lawful possession of a firearm in a*  
19 *residence, in a business or on private property that is located*  
20 *within 100 yards of an entrance to an election site.*

21 *3. A person shall not knowingly possess a firearm or cause a*  
22 *firearm to be present at an election site with the specific intent to*  
23 *disrupt, interfere with or monitor the administration of the*  
24 *election, the counting of votes or any person who is voting or*  
25 *attempting to vote.*

26 *4. A person who violates subsection 1 is guilty of a gross*  
27 *misdemeanor.*

28 *5. A person who violates subsection 3 is guilty of a category D*  
29 *felony and shall be punished as provided in NRS 193.130.*

30 *6. As used in this section, “election site” means any:*



- 1 (a) *Polling place;*
- 2 (b) *Central counting place, as defined in NRS 293.0335; or*
- 3 (c) *Place a ballot box, as defined in NRS 293.026, or ballot*
- 4 *drop box is present.*

5 **Sec. 2.** NRS 202.253 is hereby amended to read as follows:  
6 202.253 As used in NRS 202.253 to 202.369, inclusive ~~§~~ ,  
7 *and section 1 of this act:*

8 1. "Antique firearm" has the meaning ascribed to it in 18  
9 U.S.C. § 921(a)(16).

10 2. "Explosive or incendiary device" means any explosive or  
11 incendiary material or substance that has been constructed, altered,  
12 packaged or arranged in such a manner that its ordinary use would  
13 cause destruction or injury to life or property.

14 3. "Firearm" means any device designed to be used as a  
15 weapon from which a projectile may be expelled through the barrel  
16 by the force of any explosion or other form of combustion.

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

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

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

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

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

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

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

32 (c) Is not a machine gun.

33 9. "Unfinished frame or receiver" means a ~~blank, a casting or~~  
34 ~~a machined body that is intended to be turned into the frame or~~  
35 ~~lower receiver of a firearm with additional machining and which has~~  
36 ~~been formed or machined to the point at which most of the major~~  
37 ~~machining operations have been completed to turn the blank, casting~~  
38 ~~or machined body into a frame or lower receiver of a firearm even if~~  
39 ~~the fire control cavity area of the blank, casting or machined body is~~  
40 ~~still completely solid and unmachined.] *market frame or receiver or*~~

41 *ready frame or receiver. As used in this subsection:*  
42 (a) *"Market frame or receiver" means an object that is*  
43 *marketed or sold to the public to become or to be used as the frame*  
44 *or receiver of a firearm once completed, assembled or converted.*



1       ***(b) “Ready frame or receiver” means a forged, cast, printed,***  
2       ***extruded or machined body or similar article that has an***  
3       ***identifiable fire control cavity, even if that cavity has not been***  
4       ***indexed or machined in any way.***

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