

Amendment No. 598

Assembly Amendment to Senate Bill No. 6 Second Reprint	(BDR 3-394)
Proposed by: Assembly Committee on Judiciary	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



SENATE BILL NO. 6—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE NEVADA SUPREME COURT)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing orders for protection against high-risk behavior. (BDR 3-394)

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; replacing the term “ex parte order” with “emergency order”; making various changes relating to applications for and the issuance of orders for protection against high-risk behavior; revising the persons to whom an adverse party must surrender firearms; requiring a court to order the return of any surrendered firearm of an adverse party upon the expiration of an extended order for protection against high-risk behavior; revising provisions relating to the dissolution of orders for protection against high-risk behavior; eliminating the requirement for a court clerk or designee to provide assistance to certain persons relating to such orders; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law establishes various provisions relating to ex parte and extended orders for protection against high-risk behavior. (NRS 33.500-33.670) **Sections 1, 7, 9, 10, 12-14 and 16-18** of this bill replace the term “ex parte order” with “emergency order.” **Section 19** of this bill requires the term changes to be construed as having the same meaning for judicial interpretations that are rendered, issued or entered before the effective date of this bill.

Existing law authorizes a family or household member who reasonably believes, or a law enforcement officer who has probable cause to believe, that a person poses a risk of causing personal injury to himself or herself or another person by possessing or purchasing a firearm, to file a verified application for an ex parte or extended order for protection against high-risk behavior. (NRS 33.560) **Section 4** of this bill requires: (1) an applicant to show that the person poses an imminent risk to the person or to others; and (2) removes the distinction between an application for an ex parte order and an application for an extended order, and instead requires the applicant to file a single application for an order for protection against high-risk behavior.

Existing law requires an application for an ex parte or extended order for protection to include: (1) the name of the person seeking the order; (2) the name and address, if known, of the adverse party; and (3) a detailed description of the conduct and acts constituting high-risk behavior. (NRS 33.560) In addition to the existing application requirements, **section 4** requires the application to include any supplemental documents or information.

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19 **Section 1.3** of this bill establishes various procedures relating to hearings on an
20 application for an order for protection against high-risk behavior. **Section 1.3:** (1) requires a
21 hearing on the application to be held within 1 judicial day after the filing of the application;
22 and (2) authorizes a court to issue an emergency order or an extended order under certain
23 circumstances, to schedule a future hearing on the application under certain circumstances or
24 to dismiss the application under certain circumstances. **Section 1.3** also: (1) authorizes a court
25 to hold a telephonic hearing on an application for an order for protection against high-risk
26 behavior filed by a law enforcement officer; (2) requires the hearing to be held within 1 day
27 after the filing of the application; and (3) establishes various requirements relating to
28 recordings of the telephonic hearing. At any such telephonic hearing, **section 1.3** prohibits a
29 court from issuing an extended order.

30 If an emergency order was issued pursuant to **section 1.3**, **section 1.5** of this bill: (1)
31 provides that the emergency order expires not later than 7 days after the date of the filing of
32 the application; and (2) requires the court to hold a hearing before the expiration of the
33 emergency order to determine whether to issue an extended order, unless the emergency order
34 is dissolved before such time. **Section 1.5** provides that a court may extend the duration of an
35 emergency order for a period not to exceed 7 days to effectuate service of the emergency
36 order on the adverse party, or for good cause shown.

37 If a court schedules a future hearing pursuant to **section 1.3**, **section 1.5:** (1) requires the
38 hearing to be scheduled within 7 days after the filing of the application; and (2) authorizes the
39 court to issue an extended order at the scheduled hearing under certain circumstances.

40 If an extended order was issued at the hearing pursuant to **section 1.3** or at the hearing
41 pursuant to **section 1.5**, **section 1.5** provides that the extended order expires not later than 1
42 year after the date of its issuance.

43 Existing law requires a court to issue an ex parte or extended order if the court under
44 certain circumstances finds that: (1) the person poses an imminent risk , for an ex parte
45 order, or a risk, for an extended order, of causing personal injury to himself or herself or
46 another person by possessing or having under his or her custody or control or by purchasing or
47 otherwise acquiring any firearm; (2) the person engaged in high-risk behavior; and (3) less
48 restrictive options have been exhausted or are not effective. (NRS 33.570, 33.580) **Sections 5**
49 **and 6** of this bill remove the custody of a firearm from the list of factors a court may consider
50 in finding whether a person poses a risk or an imminent risk of causing a self-inflicted injury
51 or injuring another person.

52 Existing law requires an adverse party to surrender his or her firearm after an ex parte or
53 extended order is issued by a court to: (1) a law enforcement agency designated by the court
54 in the order; or (2) a person, who does not reside with the adverse party, designated by the
55 court in the order. (NRS 33.600) **Section 8** of this bill requires any firearm in the possession
56 or control of the adverse party to be surrendered to: (1) a law enforcement agency designated
57 by the court, if the application was filed by a family or household member; or (2) the law
58 enforcement agency of the officer who filed the application for the temporary or extended
59 order.

60 Existing law requires the law enforcement agency holding any surrendered firearm to
61 provide the adverse party with a receipt which includes a description of each firearm being
62 held by the law enforcement agency. Existing law requires the adverse party to provide the
63 original receipt to the court within 72 hours or 1 business day, whichever is later, after
64 surrendering any such firearm. (NRS 33.600) **Section 8** instead requires the adverse party to
65 provide the original receipt to the court within 1 business day after the surrender of any
66 firearm.

67 Existing law requires a law enforcement agency to return any surrendered firearm not
68 later than 14 days after the dissolution or expiration of an ex parte or extended order for
69 protection. (NRS 33.600) **Section 11** of this bill requires the court to: (1) issue an order for the
70 return of any surrendered firearm of the adverse party upon the expiration or dissolution of an
71 extended order; ~~and~~ (2) provide a copy of the order to the adverse party and the law
72 enforcement agency holding the surrendered firearm ~~;~~ and (3) cause a record of the
73 expiration or dissolution of the order to be transmitted to the Central Repository for
74 Nevada Records of Criminal History. **Section 8** requires a law enforcement agency to return
75 any surrendered firearm to the adverse party not later than 14 days after: (1) the dissolution or
76 expiration of an emergency order; or (2) receiving an order from the court to return any
77 firearm surrendered pursuant to an extended order.

78 Existing law requires a court to transmit a copy of an ex parte or extended order for
 79 protection to the appropriate law enforcement agency and to order the law enforcement
 80 agency to serve, without charge, the adverse party personally with the order. (NRS
 81 33.620) Section 9: (1) requires, under certain circumstances, the court to order the
 82 appropriate law enforcement agency to serve the adverse party with, in addition to
 83 existing requirements, the application, any supplemental documents submitted to the
 84 court and notice of the hearing; (2) authorizes the court to withhold or redact certain
 85 personal identifying information from the application or any supplemental documents to
 86 be served upon the adverse party if the court determines that disclosure of the
 87 information would create a substantial threat to the applicant or any other person of
 88 bodily harm, intimidation, coercion or harassment; and (3) imposes certain duties on the
 89 court if the court withholds or redacts any personal identifying information.

90 Existing law requires a court to dissolve an ex parte or extended order for protection if all
 91 parties agree to the dissolution of the order, upon a finding of good cause. (NRS 33.640)
 92 **Section 11** instead requires the court to dissolve an emergency or extended order if all parties
 93 stipulate to the dissolution, upon a finding of good cause.

94 **Section 20** of this bill eliminates the requirement in existing law that the clerk of a court
 95 or another person designated by the court: (1) provide certain information to an adverse party
 96 or a family or household member who files a verified application for an ex parte or extended
 97 order; and (2) assist any person in filing an application, response or certain other documents
 98 related to an ex parte or extended order. (NRS 33.610)

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

1 **Section 1.** Chapter 33 of NRS is hereby amended by adding thereto the
 2 provisions set forth as sections 1.3 and 1.5 of this act.

3 **Sec. 1.3.** *1. Except as otherwise provided in subsection 2, a court shall*
 4 *hold a hearing in open court to review a verified application filed pursuant to*
 5 *NRS 33.560 not later than 1 judicial day after its filing by the applicant. At the*
 6 *hearing the court may:*

7 *(a) Regardless of whether notice and an opportunity to be heard has been*
 8 *provided to the adverse party:*

9 *(1) Issue an emergency order pursuant to NRS 33.570; or*

10 *(2) Decline to issue an emergency order, in which case, the court must:*

11 *(I) Schedule a hearing in accordance with section 1.5 of this act; or*

12 *(II) If the applicant so requests, dismiss the verified application.*

13 *(b) If notice and an opportunity to be heard has been provided to the adverse*
 14 *party:*

15 *(1) Issue an extended order pursuant to NRS 33.580; ~~or~~*

16 *(2) Dismiss the verified application ~~or~~; or*

17 *(3) Upon the request of either party and for good cause shown, schedule*
 18 *a hearing in accordance with section 1.5 of this act.*

19 *2. If the verified application was filed by a law enforcement officer, the*
 20 *court may hold a telephonic hearing to review the verified application not later*
 21 *than 1 day after the filing of the application. At the telephonic hearing, the court:*

22 *(a) May not issue an extended order pursuant to NRS 33.580.*

23 *(b) May, regardless of whether notice and an opportunity to be heard has*
 24 *been provided to the adverse party:*

25 *(1) Issue an emergency order pursuant to NRS 33.570; or*

26 *(2) Decline to issue the emergency order, in which case, the court must:*

27 *(I) Schedule a hearing in accordance with section 1.5 of this act; or*

1 (II) If the law enforcement agency so requests, dismiss the verified
2 application.

3 3. The telephonic hearing described in subsection 2 must be recorded
4 contemporaneously by a certified court reporter or by electronic means. After the
5 hearing, the recording must be transcribed, certified by a judicial officer and filed
6 with the clerk of court.

7 4. In a county whose population is 100,000 or more, the court shall be
8 available 24 hours a day, 7 days a week, including nonjudicial days and holidays,
9 to conduct telephonic hearings pursuant to subsection 2.

10 5. In a county whose population is less than 100,000, the court may be
11 available 24 hours a day, 7 days a week, including nonjudicial days and holidays,
12 to conduct telephonic hearings pursuant to subsection 2.

13 **Sec. 1.5.** 1. If a court issues an emergency order at a hearing described in
14 section 1.3 of this act:

15 (a) The emergency order expires within such time, as the court fixes, not to
16 exceed 7 calendar days from the date that the verified application was filed by the
17 applicant pursuant to NRS 33.560; and

18 (b) Unless the emergency order is dissolved pursuant to NRS 33.640, the
19 court shall, not later than the day that the emergency order expires, hold a
20 hearing to determine whether to:

21 (1) Issue an extended order pursuant to NRS 33.580; or

22 (2) Dismiss the verified application.

23 2. If the court declines to issue an emergency order at the hearing described
24 in section 1.3 of this act ~~or~~ or upon the request of either party and for good cause
25 shown as provided in subparagraph (3) of paragraph (b) of subsection 1 of
26 section 1.3 of this act, the court shall, not later than 7 calendar days after the
27 filing of the verified application pursuant to NRS 33.560, schedule a hearing to
28 determine whether to:

29 (a) Issue an extended order pursuant to NRS 33.580; or

30 (b) Dismiss the verified application.

31 3. If a court issues an extended order at the hearing described in this
32 section or at the hearing described in subsection 1 of section 1.3 of this act, the
33 extended order expires within such time, not to exceed 1 year, as the court fixes.

34 4. In order for service of an emergency order to be effectuated pursuant to
35 NRS 33.620 or for good cause shown, the court may extend the duration of an
36 emergency order for a period not to exceed 7 days. Notice of any such extension
37 must be served on the adverse party by a law enforcement agency.

38 **Sec. 1.7.** NRS 33.095 is hereby amended to read as follows:

39 33.095 1. Any time that a court issues a temporary or extended order and
40 any time that a person serves such an order, registers such an order, registers a
41 Canadian domestic-violence protection order or receives any information or takes
42 any other action pursuant to NRS 33.017 to 33.100, inclusive, or NRS 33.110 to
43 33.158, inclusive, the person shall cause to be transmitted, in the manner prescribed
44 by the Central Repository for Nevada Records of Criminal History, any information
45 required by the Central Repository in a manner which ensures that the information
46 is received by the Central Repository by the end of the next business day.

47 2. Any time that a court issues an ~~ex parte~~ **emergency** or extended order
48 pursuant to NRS 33.570 or 33.580, the court shall cause to be transmitted, in the
49 manner prescribed by the Central Repository for Nevada Records of Criminal
50 History, any information required by the Central Repository in a manner which
51 ensures that the information is received by the Central Repository by the end of the
52 next business day.

1 3. As used in this section, “Canadian domestic-violence protection order” has
2 the meaning ascribed to it in NRS 33.119.

3 **Sec. 2.** NRS 33.500 is hereby amended to read as follows:

4 33.500 As used in NRS 33.500 to 33.670, inclusive, *and sections 1.3 and 1.5*
5 *of this act*, unless the context otherwise requires, the words and terms defined in
6 NRS 33.510 to 33.540, inclusive, have the meanings ascribed to them in those
7 sections.

8 **Sec. 3.** NRS 33.520 is hereby amended to read as follows:

9 33.520 ~~["Ex parte"]~~ *“Emergency order”* means an ~~[ex parte]~~ *emergency* order
10 for protection against high-risk behavior.

11 **Sec. 4.** NRS 33.560 is hereby amended to read as follows:

12 33.560 1. A law enforcement officer who has probable cause to believe that
13 a person poses ~~[a]~~ *an imminent* risk of causing *a self-inflicted injury or a* personal
14 injury to ~~[himself or herself or]~~ another person by possessing ~~[or having under his~~
15 ~~or her custody or control or by]~~ , *controlling*, purchasing or otherwise acquiring
16 any firearm may file a verified application for an ~~[ex parte or extended]~~ order ~~[]~~ *for*
17 *protection against high-risk behavior*.

18 2. A family or household member who reasonably believes that a person
19 poses ~~[a]~~ *an imminent* risk of causing *a self-inflicted injury or a* personal injury to
20 ~~[himself or herself or]~~ another person by possessing ~~[or having under his or her~~
21 ~~custody or control or by]~~ *controlling*, purchasing or otherwise acquiring any
22 firearm may file a verified application for an ~~[ex parte or extended order.]~~ *order for*
23 *protection against high-risk behavior*.

24 3. A verified application filed pursuant to this section must include, without
25 limitation:

26 (a) The name of the person seeking the order ~~[and whether he or she is~~
27 ~~requesting an ex parte order or an extended order;]~~ *for protection against high-risk*
28 *behavior*;

29 (b) The name and address, if known, of the person who is alleged to pose ~~[a]~~
30 *an imminent* risk pursuant to subsection 1 or 2; ~~[and]~~

31 (c) A detailed description of the conduct and acts that constitute high-risk
32 behavior and the dates on which the high-risk behavior occurred ~~[]~~ ; *and*

33 (d) *Any supplemental documents or information*.

34 4. ~~[Service of]~~ *An applicant is not required to serve, or have served on its*
35 *behalf*, an application for an ~~[extended]~~ order *for protection against high-risk*
36 *behavior* and ~~[the]~~ notice of *the* hearing ~~[thereon must be served upon the adverse~~
37 ~~party pursuant to the Nevada Rules of Civil Procedure.]~~ *described in section 1.3 of*
38 *this act, but an applicant who is a law enforcement officer may in the discretion*
39 *of the officer serve the verified application and notice of the hearing on the*
40 *adverse party*.

41 **Sec. 5.** NRS 33.570 is hereby amended to read as follows:

42 33.570 1. The court shall issue an ~~[ex parte]~~ *emergency* order if the court
43 finds by a preponderance of the evidence from facts shown by a verified application
44 filed pursuant to NRS 33.560:

45 (a) That a person poses an imminent risk of causing *a self-inflicted injury or a*
46 personal injury to ~~[himself or herself or]~~ another person by possessing ~~[or having~~
47 ~~under his or her custody or control or by]~~ , *controlling*, purchasing or otherwise
48 acquiring any firearm;

49 (b) The person engaged in high-risk behavior; and

50 (c) Less restrictive options have been exhausted or are not effective.

51 2. The court may require the person who filed the verified application or the
52 adverse party, or both, to appear before the court before determining whether to
53 issue an ~~[ex parte]~~ *emergency* order.

1 3. An ~~[ex parte]~~ **emergency** order may be issued with or without notice to the
2 adverse party.

3 4. ~~[Except as otherwise provided in this subsection, a hearing must not be
4 held by telephone. The court shall hold a hearing on the ex parte order and shall
5 issue or deny the ex parte order on the verified application is filed or the judicial
6 day immediately following the day the verified application is filed. If the verified
7 application is filed by a law enforcement officer, the court may hold the hearing on
8 the ex parte order by telephone, which must be recorded in the presence of the
9 magistrate or in the immediate vicinity of the magistrate by a certified court
10 reporter or by electronic means. Any such recording must be transcribed, certified
11 by the reporter if the reporter made the recording and certified by the magistrate.
12 The certified transcript must be filed with the clerk of the court.]~~

13 ~~5. In a county whose population is 100,000 or more, the court shall be
14 available 24 hours a day, 7 days a week, including nonjudicial days and holidays, to
15 receive communications by telephone and for the issuance of an ex parte order
16 pursuant to subsection 4.~~

17 ~~6. In a county whose population is less than 100,000, the court may be
18 available 24 hours a day, 7 days a week, including nonjudicial days and holidays, to
19 receive communications by telephone and for the issuance of an ex parte order
20 pursuant to subsection 4.~~

21 ~~7.]~~ The clerk of the court shall inform the applicant and the adverse party
22 upon the successful transfer of information concerning the registration to the
23 Central Repository for Nevada Records of Criminal History as required pursuant to
24 NRS 33.095.

25 **Sec. 6.** NRS 33.580 is hereby amended to read as follows:

26 33.580 1. The court shall issue an extended order if the court finds by clear
27 and convincing evidence from facts shown by a verified application filed pursuant
28 to NRS 33.560:

29 (a) That a person poses a ~~an~~ **[an imminent]** risk of causing **a self-inflicted injury**
30 **or a** personal injury to ~~[himself or herself or]~~ another person by possessing ~~for~~
31 ~~having under his or her custody or control or by]~~ , **controlling**, purchasing or
32 otherwise acquiring any firearm;

33 (b) The person engaged in high-risk behavior; and

34 (c) Less restrictive options have been exhausted or are not effective.

35 2. ~~[A hearing on an application for an extended order must be held within 7
36 calendar days after the date on which the application for the extended order is filed.]~~

37 ~~3.]~~ The clerk of the court shall inform the applicant and the adverse party
38 upon the successful transfer of information concerning the registration to the
39 Central Repository for Nevada Records of Criminal History as required pursuant to
40 NRS 33.095.

41 **Sec. 7.** NRS 33.590 is hereby amended to read as follows:

42 33.590 Each ~~[ex parte]~~ **emergency** or extended order issued pursuant to NRS
43 33.570 or 33.580 must:

44 1. Require the adverse party to surrender any firearm **that is in [his or her] the**
45 **possession [or under his or her custody]** or control **of the adverse party** in the
46 manner set forth in NRS 33.600.

47 2. Prohibit the adverse party from possessing or ~~having under his or her~~
48 ~~custody or control]~~ **controlling** any firearm while the order is in effect.

49 3. Include a provision ordering any law enforcement officer to arrest the
50 adverse party with a warrant, or without a warrant if the officer has probable cause
51 to believe that the person has been served with a copy of the order and has violated
52 a provision of the order.

53 4. State the reasons for the issuance of the order.

- 1 5. Include instructions for surrendering any firearm as ordered by the court.
- 2 6. State the time and date on which the order expires.
- 3 7. Require the adverse party to surrender any permit issued pursuant to NRS
- 4 202.3657.
- 5 8. Include the following statement:

6
7 **WARNING**

8 This is an official court order. If you disobey this order, you may be
9 arrested and prosecuted for the crime of violating an ~~[ex parte]~~ **emergency**
10 or extended order and any other crime that you may have committed in
11 disobeying this order.

12 **Sec. 8.** NRS 33.600 is hereby amended to read as follows:

13 33.600 1. After a court orders an adverse party to surrender any firearm
14 pursuant to NRS 33.590, the adverse party shall, immediately after service of the
15 order ~~[-~~

16 ~~—(a) Surrender] surrender~~ any firearm *that is* in ~~[his or her]~~ **the** possession or
17 ~~[under his or her custody or]~~ control *of the adverse party* to ~~[the appropriate] :~~

18 (a) **The** law enforcement agency designated by the court in the order ~~[- or~~

19 ~~—(b) Surrender any firearm in his or her possession or under his or her custody~~
20 ~~or control to a person, other than a person who resides with the adverse party,~~
21 ~~designated by the court in the order.] , if the verified application pursuant to NRS~~
22 ~~33.560 was filed by a family or household member; or~~

23 (b) **The law enforcement agency of the law enforcement officer who filed the**
24 **verified application pursuant to NRS 33.560.**

25 2. ~~[If the court orders the adverse party to surrender any firearm to a law~~
26 ~~enforcement agency pursuant to paragraph (a) of subsection 1.] **At the time any**~~
27 ~~**firearm is surrendered,**~~ the law enforcement agency shall provide the adverse party
28 with a receipt which includes a description of each firearm surrendered and the
29 adverse party shall, not later than ~~[72 hours or]~~ 1 business day ~~[-, whichever is later,]~~
30 after surrendering any such firearm, provide the original receipt to the court. The
31 law enforcement agency shall store any such firearm or may contract with a
32 licensed firearm dealer to provide storage.

33 3. ~~[If the court orders the adverse party to surrender any firearm to a person~~
34 ~~designated by the court pursuant to paragraph (b) of subsection 1, the adverse party~~
35 ~~shall, not later than 72 hours or 1 business day, whichever is later, after~~
36 ~~surrendering any such firearm, provide to the court and the appropriate law~~
37 ~~enforcement agency the name and address of the person designated in the order and~~
38 ~~a written description of each firearm surrendered.~~

39 ~~—4.]~~ If there is probable cause to believe that the adverse party has not
40 surrendered any firearm *that is* in ~~[his or her]~~ **the** possession or ~~[under his or her~~
41 ~~custody or]~~ control ~~[within the time set forth in subsections 2 and 3, the court may~~
42 ~~issue and deliver to]~~ *of the adverse party*, any law enforcement officer **may apply**
43 **to the court for** a search warrant which authorizes the officer to enter and search
44 any place where there is probable cause to believe any such firearm is located and
45 seize the firearm.

46 ~~[5.]~~ **4.** If, while executing a search warrant pursuant to subsection ~~[4,]~~ **3,** the
47 health or safety of the officer or the adverse party is put at risk because of any
48 action of the adverse party, the law enforcement officer is under no duty to continue
49 to attempt to execute the search warrant and the execution of the warrant shall be
50 deemed unsuccessful. If such execution is unsuccessful, the law enforcement
51 agency shall, as soon as practicable after the risk has subsided, attempt to execute
52 the search warrant until the search warrant is successfully executed.

1 ~~[6.]~~ 5. A law enforcement agency shall return any surrendered or seized
2 firearm to the adverse party:

3 (a) In the manner provided by the policies and procedures of the law
4 enforcement agency;

5 (b) After confirming that:

6 (1) The adverse party is eligible to own or possess a firearm under state
7 and federal law; and

8 (2) Any ~~[ex parte or extended]~~ emergency order issued pursuant to NRS
9 33.570 ~~[or 33.580]~~ is dissolved or no longer in effect ~~[;]~~ *or a court has issued an*
10 *order to return the surrendered firearms pursuant to NRS 33.640, as applicable;*
11 and

12 (c) As soon as practicable but not more than 14 days after the dissolution *or*
13 *expiration of* ~~[an ex parte or extended]~~ *the emergency order* ~~[~~
14 ~~—7.]~~ *or receiving the order to return the surrendered firearms pursuant to NRS*
15 *33.640, as applicable.*

16 6. If a person other than the adverse party claims title to any firearm
17 surrendered or seized pursuant to this section and ~~[he or she]~~ *the person* is
18 determined by the law enforcement agency to be the lawful owner, the firearm must
19 be returned to ~~[him or her,]~~ *the lawful owner*, if:

20 (a) The lawful owner agrees to store the firearm in a manner such that the
21 adverse party does not have access to or control of the firearm; and

22 (b) The law enforcement agency determines that:

23 (1) The firearm is not otherwise unlawfully possessed by the lawful owner;
24 and

25 (2) The person is eligible to own or possess a firearm under state or federal
26 law.

27 ~~[8.]~~ 7. As used in this section, “licensed firearm dealer” means a person
28 licensed pursuant to 18 U.S.C. § 923(a).

29 **Sec. 9.** NRS 33.620 is hereby amended to read as follows:

30 33.620 1. The court shall transmit, by the end of the next business day after
31 an ~~[ex parte]~~ emergency or extended order is issued or renewed, a copy of the order
32 to the appropriate law enforcement agency.

33 2. ~~[The]~~ *Unless the adverse party is present at the hearing described in*
34 *section 1.3 of this act to receive the date of the hearing described in section 1.5 of*
35 *this act in which the court will determine whether to issue an extended order, the*
36 *court shall order the appropriate law enforcement agency to serve, without charge,*
37 *the adverse party personally with* ~~[the ex parte or extended]~~ *;*

38 *(a) The emergency order ;*

39 *(b) Subject to the provisions of subsection 8, the application and any*
40 *supplemental documents submitted to the court; and* ~~[notice]~~

41 *(c) Notice of the hearing described in section 1.5 of this act.*

42 3. *The court shall order the appropriate law enforcement agency to serve,*
43 *without charge, the adverse party personally with the extended order.*

44 4. *The law enforcement agency shall* file with or mail to the clerk of the
45 court proof of service *of the emergency order pursuant to subsection 2 or the*
46 *extended order pursuant to subsection 3* by the end of the next business day after
47 service is made.

48 ~~[3.]~~ 5. If, while attempting to serve the adverse party personally pursuant to
49 subsection 2 ~~[;]~~ *or 3*, the health or safety of the officer or the adverse party is put at
50 risk because of any action of the adverse party, the law enforcement officer is under
51 no duty to continue to attempt to serve the adverse party personally and the service
52 shall be deemed unsuccessful. If such service is unsuccessful, the law enforcement
53 agency shall, as soon as practicable after the risk has subsided, attempt to serve the

1 adverse party personally until the ~~[ex parte]~~ *emergency* or extended order is
2 successfully served.

3 ~~[4.]~~ 6. A law enforcement agency shall enforce an ~~[ex parte]~~ *emergency* or
4 extended order without regard to the county in which the order was issued.

5 ~~[5.]~~ 7. The clerk of the court shall issue, without fee, a copy of the ~~[ex parte]~~
6 *emergency* or extended order to any family or household member *or law*
7 *enforcement officer* who files a verified application pursuant to NRS 33.560 or the
8 adverse party.

9 8. The court may withhold or redact from the application or any
10 supplemental documents to be served upon the adverse party any personal
11 identifying information of the applicant or any other person if the court
12 determines that disclosure of the personal identifying information would create a
13 substantial threat to the applicant or any other person of bodily harm,
14 intimidation, coercion or harassment. If the court withholds or redacts any
15 personal identifying information pursuant to this subsection, the court shall:

16 (a) Upon request of the adverse party, provide the adverse party or the
17 adverse party's attorney or agent with an opportunity to interview the applicant or
18 other person whose personal identifying information was withheld or redacted in
19 an environment that provides for protection of the applicant or other person;

20 (b) Maintain any information or documents withheld or redacted pursuant to
21 this subsection in a confidential file; and

22 (c) Permit the adverse party or the adverse party's attorney or agent to
23 inspect and to copy or photograph any information or documents withheld or
24 redacted pursuant to this subsection before the hearing described in section 1.5 of
25 this act.

26 9. As used in this section, "personal identifying information" means any
27 information which would identify a person, including, without limitation, a name,
28 an address, a date of birth or a social security number.

29 **Sec. 10.** NRS 33.630 is hereby amended to read as follows:

30 33.630 1. Whether or not a violation of an ~~[ex parte]~~ *emergency* or extended
31 order occurs in the presence of a law enforcement officer, the officer may arrest and
32 take into custody an adverse party:

33 (a) With a warrant; or

34 (b) Without a warrant if the officer has probable cause to believe that:

35 (1) An order has been issued pursuant to NRS 33.570 or 33.580 against the
36 adverse party;

37 (2) The adverse party has been served with a copy of the order; and

38 (3) The adverse party is acting in violation of the order.

39 2. If a law enforcement officer cannot verify that the adverse party was served
40 with a copy of the application and ~~[ex parte]~~ *emergency* or extended order, the
41 officer shall:

42 (a) Inform the adverse party of the specific terms and conditions of the order;

43 (b) Inform the adverse party that ~~[he or she]~~ *the adverse party* has notice of the
44 provisions of the order and that a violation of the order will result in his or her
45 arrest;

46 (c) Inform the adverse party of the location of the court that issued the original
47 order and the hours during which the adverse party may obtain a copy of the order;
48 and

49 (d) Inform the adverse party of the date and time set for a hearing on an
50 application for an ~~[ex parte]~~ *emergency* or extended order, if any.

51 3. Information concerning the terms and conditions of the ~~[ex parte]~~
52 *emergency* or extended order, the date and time of any notice provided to the
53 adverse party and the name and identifying number of the law enforcement officer

1 who gave the notice must be provided in writing to the applicant and noted in the
2 records of the law enforcement agency and the court.

3 **Sec. 11.** NRS 33.640 is hereby amended to read as follows:

4 33.640 1. ~~{An ex parte order expires within such time, not to exceed 7 days,~~
5 ~~as the court fixes. If a verified application for an extended order is filed within the~~
6 ~~period of an ex parte order or at the same time as an application for an ex parte~~
7 ~~order pursuant to NRS 33.560, the ex parte order remains in effect until the hearing~~
8 ~~on the extended order is held.~~

9 ~~— 2. An extended order expires within such time, not to exceed 1 year, as the~~
10 ~~court fixes.~~

11 ~~— 3.} The family or household member or law enforcement officer who filed the~~
12 ~~verified application pursuant to NRS 33.560 or the adverse party may request in~~
13 ~~writing to appear and move for the dissolution of an {ex parte} emergency or~~
14 ~~extended order. Upon a finding by clear and convincing evidence that the adverse~~
15 ~~party no longer poses a {an imminent} risk of causing a self-inflicted injury or a~~
16 ~~personal injury to {himself or herself or} another person by possessing {or having~~
17 ~~under his or her custody or control or by} , controlling, purchasing or otherwise~~
18 ~~acquiring any firearm, the court shall dissolve the order. If {the court finds that} all~~
19 ~~parties {agree} stipulate to dissolve the order, the court shall dissolve the order upon~~
20 ~~a finding of good cause.~~

21 ~~{4.} 2. Upon the expiration or dissolution of an emergency or extended~~
22 ~~order, the court shall:~~

23 ~~(a) Order the return of any firearm surrendered by the adverse party; {and}~~

24 ~~(b) Provide a copy of the order to:~~

25 ~~(1) The adverse party; and~~

26 ~~(2) The law enforcement agency holding any such surrendered firearm~~

27 ~~{;} and~~

28 ~~(c) Cause, on a form prescribed by the Department of Public Safety, a record~~
29 ~~of the expiration or dissolution of the order to be transmitted to the Central~~
30 ~~Repository for Nevada Records of Criminal History to ensure that information~~
31 ~~concerning the adverse party is removed from the Central Repository.~~

32 3. Not less than 3 months before the expiration of an extended order and upon
33 petition by a family or household member or law enforcement officer, the court
34 may, after notice and a hearing, renew an extended order upon a finding by clear
35 and convincing evidence. Such an order expires within a period, not to exceed 1
36 year, as the court fixes.

37 **Sec. 12.** NRS 33.650 is hereby amended to read as follows:

38 33.650 1. Any time that a court issues an ~~{ex parte}~~ emergency or extended
39 order or renews an extended order and any time that a person serves such an order
40 or receives any information or takes any other action pursuant to NRS 33.500 to
41 33.670, inclusive, the person shall, by the end of the next business day:

42 (a) Cause to be transmitted, in the manner prescribed by the Central Repository
43 for Nevada Records of Criminal History, any information required by the Central
44 Repository in a manner which ensures that the information is received by the
45 Central Repository; and

46 (b) Transmit a copy of the order to the Attorney General.

47 2. If the Central Repository for Nevada Records of Criminal History receives
48 any information described in subsection 1, the adverse party may petition the court
49 for an order declaring that the basis for the information transmitted no longer exists.

50 3. A petition brought pursuant to subsection 2 must be filed in the court which
51 issued the ~~{ex parte}~~ emergency or extended order.

1 4. The court shall grant the petition and issue the order described in
2 subsection 2 if the court finds that the basis for the ~~ex parte~~ *emergency* or
3 extended order no longer exists.

4 5. The court, upon granting the petition and entering an order pursuant to this
5 section, shall cause, on a form prescribed by the Department of Public Safety, a
6 record of the order to be transmitted to the Central Repository for Nevada Records
7 of Criminal History.

8 6. Within 5 business days after receiving a record of an order transmitted
9 pursuant to subsection 5, the Central Repository for Nevada Records of Criminal
10 History shall take reasonable steps to ensure that the information concerning the
11 adverse party is removed from the Central Repository.

12 7. If the Central Repository for Nevada Records of Criminal History fails to
13 remove the information as provided in subsection 6, the adverse party may bring an
14 action to compel the removal of the information. If the adverse party prevails in the
15 action, the court may award the adverse party reasonable attorney's fees and costs
16 incurred in bringing the action.

17 8. If a petition brought pursuant to subsection 2 is denied, the adverse party
18 may petition for a rehearing not sooner than 2 years after the date of the denial of
19 the petition.

20 **Sec. 13.** NRS 33.660 is hereby amended to read as follows:

21 33.660 1. A person shall not file a verified application for an ~~ex parte~~
22 *emergency* or extended order:

23 (a) Which ~~he or she~~ *the person* knows or has reason to know is false or
24 misleading; or

25 (b) With the intent to harass the adverse party.

26 2. A person who violates the provisions of subsection 1 is guilty of a
27 misdemeanor.

28 **Sec. 14.** NRS 33.670 is hereby amended to read as follows:

29 33.670 A person who intentionally violates an ~~ex parte~~ *emergency* or
30 extended order is, unless a more severe penalty is prescribed by law for the act that
31 constitutes the violation of the order, guilty of a misdemeanor.

32 **Sec. 15.** NRS 1.130 is hereby amended to read as follows:

33 1.130 1. No court except a justice court or a municipal court shall be opened
34 nor shall any judicial business be transacted except by a justice court or municipal
35 court on Sunday, or on any day declared to be a legal holiday according to the
36 provisions of NRS 236.015, except for the following purposes:

37 (a) To give, upon their request, instructions to a jury then deliberating on their
38 verdict.

39 (b) To receive a verdict or discharge a jury.

40 (c) For the exercise of the power of a magistrate in a criminal action or in a
41 proceeding of a criminal nature.

42 (d) To receive communications by telephone and for the issuance of:

43 (1) A temporary order pursuant to subsection 8 of NRS 33.020; or

44 (2) An ~~ex parte~~ *emergency* order for protection against high-risk behavior
45 pursuant to NRS 33.570.

46 (e) For the issue of a writ of attachment, which may be issued on each and all
47 of the days above enumerated upon the plaintiff, or some person on behalf of the
48 plaintiff, setting forth in the affidavit required by law for obtaining the writ the
49 additional averment as follows:

50
51 That the affiant has good reason to believe, and does believe, that it will
52 be too late for the purpose of acquiring a lien by the writ to wait until
53 subsequent day for the issuance of the same.

1 All proceedings instituted, and all writs issued, and all official acts done on any of
2 the days above specified, under and by virtue of this section, shall have all the
3 validity, force and effect of proceedings commenced on other days, whether a lien
4 be obtained or a levy made under and by virtue of the writ.

5 2. Nothing herein contained shall affect private transactions of any nature
6 whatsoever.

7 **Sec. 16.** NRS 4.370 is hereby amended to read as follows:

8 4.370 1. Except as otherwise provided in subsection 2, justice courts have
9 jurisdiction of the following civil actions and proceedings and no others except as
10 otherwise provided by specific statute:

11 (a) In actions arising on contract for the recovery of money only, if the sum
12 claimed, exclusive of interest, does not exceed \$15,000.

13 (b) In actions for damages for injury to the person, or for taking, detaining or
14 injuring personal property, or for injury to real property where no issue is raised by
15 the verified answer of the defendant involving the title to or boundaries of the real
16 property, if the damage claimed does not exceed \$15,000.

17 (c) Except as otherwise provided in paragraph (l), in actions for a fine, penalty
18 or forfeiture not exceeding \$15,000, given by statute or the ordinance of a county,
19 city or town, where no issue is raised by the answer involving the legality of any
20 tax, impost, assessment, toll or municipal fine.

21 (d) In actions upon bonds or undertakings conditioned for the payment of
22 money, if the sum claimed does not exceed \$15,000, though the penalty may
23 exceed that sum. Bail bonds and other undertakings posted in criminal matters may
24 be forfeited regardless of amount.

25 (e) In actions to recover the possession of personal property, if the value of the
26 property does not exceed \$15,000.

27 (f) To take and enter judgment on the confession of a defendant, when the
28 amount confessed, exclusive of interest, does not exceed \$15,000.

29 (g) Of actions for the possession of lands and tenements where the relation of
30 landlord and tenant exists, when damages claimed do not exceed \$15,000 or when
31 no damages are claimed.

32 (h) Of actions when the possession of lands and tenements has been unlawfully
33 or fraudulently obtained or withheld, when damages claimed do not exceed \$15,000
34 or when no damages are claimed.

35 (i) Of suits for the collection of taxes, where the amount of the tax sued for
36 does not exceed \$15,000.

37 (j) Of actions for the enforcement of mechanics' liens, where the amount of the
38 lien sought to be enforced, exclusive of interest, does not exceed \$15,000.

39 (k) Of actions for the enforcement of liens of owners of facilities for storage,
40 where the amount of the lien sought to be enforced, exclusive of interest, does not
41 exceed \$15,000.

42 (l) In actions for a fine imposed for a violation of NRS 484D.680.

43 (m) Except as otherwise provided in this paragraph, in any action for the
44 issuance of a temporary or extended order for protection against domestic violence
45 pursuant to NRS 33.020. A justice court does not have jurisdiction in an action for
46 the issuance of a temporary or extended order for protection against domestic
47 violence:

48 (1) In a county whose population is 100,000 or more and less than
49 700,000;

50 (2) In any township whose population is 100,000 or more located within a
51 county whose population is 700,000 or more; or

1 (3) If a district court issues a written order to the justice court requiring that
2 further proceedings relating to the action for the issuance of the order for protection
3 be conducted before the district court.

4 (n) Except as otherwise provided in this paragraph, in any action for the
5 issuance of an ~~ex parte~~ emergency or extended order for protection against high-
6 risk behavior pursuant to NRS 33.570 or 33.580. A justice court does not have
7 jurisdiction in an action for the issuance of an ~~ex parte~~ emergency or extended
8 order for protection against high-risk behavior:

9 (1) In a county whose population is 100,000 or more but less than 700,000;

10 (2) In any township whose population is 100,000 or more located within a
11 county whose population is 700,000 or more; or

12 (3) If a district court issues a written order to the justice court requiring that
13 further proceedings relating to the action for the issuance of the order for protection
14 be conducted before the district court.

15 (o) In an action for the issuance of a temporary or extended order for protection
16 against harassment in the workplace pursuant to NRS 33.200 to 33.360, inclusive.

17 (p) In small claims actions under the provisions of chapter 73 of NRS.

18 (q) In actions to contest the validity of liens on mobile homes or manufactured
19 homes.

20 (r) In any action pursuant to NRS 200.591 for the issuance of a protective order
21 against a person alleged to be committing the crime of stalking, aggravated stalking
22 or harassment.

23 (s) In any action pursuant to NRS 200.378 for the issuance of a protective
24 order against a person alleged to have committed the crime of sexual assault.

25 (t) In actions transferred from the district court pursuant to NRS 3.221.

26 (u) In any action for the issuance of a temporary or extended order pursuant to
27 NRS 33.400.

28 (v) In any action seeking an order pursuant to NRS 441A.195.

29 2. The jurisdiction conferred by this section does not extend to civil actions,
30 other than for forcible entry or detainer, in which the title of real property or mining
31 claims or questions affecting the boundaries of land are involved.

32 3. Justice courts have jurisdiction of all misdemeanors and no other criminal
33 offenses except as otherwise provided by specific statute. Upon approval of the
34 district court, a justice court may transfer original jurisdiction of a misdemeanor to
35 the district court for the purpose of assigning an offender to a program established
36 pursuant to NRS 176A.250 or, if the justice court has not established a program
37 pursuant to NRS 176A.280, to a program established pursuant to that section.

38 4. Except as otherwise provided in subsections 5 and 6, in criminal cases the
39 jurisdiction of justices of the peace extends to the limits of their respective counties.

40 5. In the case of any arrest made by a member of the Nevada Highway Patrol,
41 the jurisdiction of the justices of the peace extends to the limits of their respective
42 counties and to the limits of all counties which have common boundaries with their
43 respective counties.

44 6. Each justice court has jurisdiction of any violation of a regulation
45 governing vehicular traffic on an airport within the township in which the court is
46 established.

47 **Sec. 17.** NRS 193.166 is hereby amended to read as follows:

48 193.166 1. Except as otherwise provided in NRS 193.169, a person who
49 commits a crime that is punishable as a felony, other than a crime that is punishable
50 as a felony pursuant to subsection 6 of NRS 33.400, subsection 5 of NRS 200.378
51 or subsection 5 of NRS 200.591, in violation of:

52 (a) A temporary or extended order for protection against domestic violence
53 issued pursuant to NRS 33.020;

1 (b) An order for protection against harassment in the workplace issued
2 pursuant to NRS 33.270;

3 (c) A temporary or extended order for the protection of a child issued pursuant
4 to NRS 33.400;

5 (d) An ~~ex parte~~ emergency or extended order for protection against high-risk
6 behavior issued pursuant to NRS 33.570 or 33.580;

7 (e) An order for protection against domestic violence issued in an action or
8 proceeding brought pursuant to title 11 of NRS;

9 (f) A temporary or extended order issued pursuant to NRS 200.378; or

10 (g) A temporary or extended order issued pursuant to NRS 200.591,

11 ↪ shall, in addition to the term of imprisonment prescribed by statute for the crime,
12 be punished by imprisonment in the state prison, except as otherwise provided in
13 this subsection, for a minimum term of not less than 1 year and a maximum term of
14 not more than 20 years. If the crime committed by the person is punishable as a
15 category A felony or category B felony, in addition to the term of imprisonment
16 prescribed by statute for that crime, the person shall be punished by imprisonment
17 in the state prison for a minimum term of not less than 1 year and a maximum term
18 of not more than 5 years.

19 2. In determining the length of the additional penalty imposed pursuant to this
20 section, the court shall consider the following information:

21 (a) The facts and circumstances of the crime;

22 (b) The criminal history of the person;

23 (c) The impact of the crime on any victim;

24 (d) Any mitigating factors presented by the person; and

25 (e) Any other relevant information.

26 ↪ The court shall state on the record that it has considered the information
27 described in paragraphs (a) to (e), inclusive, in determining the length of the
28 additional penalty imposed.

29 3. The sentence prescribed by this section:

30 (a) Must not exceed the sentence imposed for the crime; and

31 (b) Runs concurrently or consecutively with the sentence prescribed by statute
32 for the crime, as ordered by the court.

33 4. The court shall not grant probation to or suspend the sentence of any
34 person convicted of attempted murder, battery which involves the use of a deadly
35 weapon, battery which results in substantial bodily harm or battery which is
36 committed by strangulation as described in NRS 200.481 or 200.485 if an
37 additional term of imprisonment may be imposed for that primary offense pursuant
38 to this section.

39 5. This section does not create a separate offense but provides an additional
40 penalty for the primary offense, whose imposition is contingent upon the finding of
41 the prescribed fact.

42 **Sec. 18.** NRS 202.3657 is hereby amended to read as follows:

43 202.3657 1. Any person who is a resident of this State may apply to the
44 sheriff of the county in which he or she resides for a permit on a form prescribed by
45 regulation of the Department. Any person who is not a resident of this State may
46 apply to the sheriff of any county in this State for a permit on a form prescribed by
47 regulation of the Department. Application forms for permits must be furnished by
48 the sheriff of each county upon request.

49 2. A person applying for a permit may submit one application and obtain one
50 permit to carry all handguns owned by the person. The person must not be required
51 to list and identify on the application each handgun owned by the person. A permit
52 is valid for any handgun which is owned or thereafter obtained by the person to
53 whom the permit is issued.

1 3. Except as otherwise provided in this section, the sheriff shall issue a permit
2 to any person who is qualified to possess a handgun under state and federal law,
3 who submits an application in accordance with the provisions of this section and
4 who:

5 (a) Is:

6 (1) Twenty-one years of age or older; or

7 (2) At least 18 years of age but less than 21 years of age if the person:

8 (I) Is a member of the Armed Forces of the United States, a reserve
9 component thereof or the National Guard; or

10 (II) Was discharged or released from service in the Armed Forces of
11 the United States, a reserve component thereof or the National Guard under
12 honorable conditions;

13 (b) Is not prohibited from possessing a firearm pursuant to NRS 202.360; and

14 (c) Demonstrates competence with handguns by presenting a certificate or
15 other documentation to the sheriff which shows that the applicant:

16 (1) Successfully completed a course in firearm safety approved by a sheriff
17 in this State; or

18 (2) Successfully completed a course in firearm safety offered by a federal,
19 state or local law enforcement agency, community college, university or national
20 organization that certifies instructors in firearm safety.

21 ➤ Such a course must include instruction in the use of handguns and in the laws of
22 this State relating to the use of a firearm. A sheriff may not approve a course in
23 firearm safety pursuant to subparagraph (1) unless the sheriff determines that the
24 course meets any standards that are established by the Nevada Sheriffs' and Chiefs'
25 Association or, if the Nevada Sheriffs' and Chiefs' Association ceases to exist, its
26 legal successor.

27 4. The sheriff shall deny an application or revoke a permit if the sheriff
28 determines that the applicant or permittee:

29 (a) Has an outstanding warrant for his or her arrest.

30 (b) Has been judicially declared incompetent or insane.

31 (c) Has been voluntarily or involuntarily admitted to a mental health facility
32 during the immediately preceding 5 years.

33 (d) Has habitually used intoxicating liquor or a controlled substance to the
34 extent that his or her normal faculties are impaired. For the purposes of this
35 paragraph, it is presumed that a person has so used intoxicating liquor or a
36 controlled substance if, during the immediately preceding 5 years, the person has:

37 (1) Been convicted of violating the provisions of NRS 484C.110; or

38 (2) Participated in a program of treatment pursuant to NRS 176A.230 to
39 176A.245, inclusive.

40 (e) Has been convicted of a crime involving the use or threatened use of force
41 or violence punishable as a misdemeanor under the laws of this or any other state,
42 or a territory or possession of the United States at any time during the immediately
43 preceding 3 years.

44 (f) Has been convicted of a felony in this State or under the laws of any state,
45 territory or possession of the United States.

46 (g) Has been convicted of a crime involving domestic violence or stalking, or
47 is currently subject to a restraining order, injunction or other order for protection
48 against domestic violence.

49 (h) Is currently subject to an ~~ex parte~~ **emergency** or extended order for
50 protection against high-risk behavior issued pursuant to NRS 33.570 or 33.580.

51 (i) Is currently on parole or probation from a conviction obtained in this State
52 or in any other state or territory or possession of the United States.

1 (j) Has, within the immediately preceding 5 years, been subject to any
2 requirements imposed by a court of this State or of any other state or territory or
3 possession of the United States, as a condition to the court's:

- 4 (1) Withholding of the entry of judgment for a conviction of a felony; or
5 (2) Suspension of sentence for the conviction of a felony.

6 (k) Has made a false statement on any application for a permit or for the
7 renewal of a permit.

8 (l) Has been discharged or released from service in the Armed Forces of the
9 United States, a reserve component thereof or the National Guard under conditions
10 other than honorable conditions and is less than 21 years of age.

11 5. The sheriff may deny an application or revoke a permit if the sheriff
12 receives a sworn affidavit stating articulable facts based upon personal knowledge
13 from any natural person who is 18 years of age or older that the applicant or
14 permittee has or may have committed an offense or engaged in any other activity
15 specified in subsection 4 which would preclude the issuance of a permit to the
16 applicant or require the revocation of a permit pursuant to this section.

17 6. If the sheriff receives notification submitted by a court or law enforcement
18 agency of this or any other state, the United States or a territory or possession of the
19 United States that a permittee or an applicant for a permit has been charged with a
20 crime involving the use or threatened use of force or violence, the conviction for
21 which would require the revocation of a permit or preclude the issuance of a permit
22 to the applicant pursuant to this section, the sheriff shall suspend the person's
23 permit or the processing of the person's application until the final disposition of the
24 charges against the person. If a permittee is acquitted of the charges, or if the
25 charges are dropped, the sheriff shall restore his or her permit without imposing a
26 fee.

27 7. An application submitted pursuant to this section must be completed and
28 signed under oath by the applicant. The applicant's signature must be witnessed by
29 an employee of the sheriff or notarized by a notary public. The application must
30 include:

31 (a) The name, address, place and date of birth, social security number,
32 occupation and employer of the applicant and any other names used by the
33 applicant;

34 (b) A complete set of the applicant's fingerprints taken by the sheriff or his or
35 her agent;

36 (c) A front-view colored photograph of the applicant taken by the sheriff or his
37 or her agent;

38 (d) If the applicant is a resident of this State, the driver's license number or
39 identification card number of the applicant issued by the Department of Motor
40 Vehicles;

41 (e) If the applicant is not a resident of this State, the driver's license number or
42 identification card number of the applicant issued by another state or jurisdiction;

43 (f) If the applicant is a person described in subparagraph (2) of paragraph (a) of
44 subsection 3, proof that the applicant:

45 (1) Is a member of the Armed Forces of the United States, a reserve
46 component thereof or the National Guard, as evidenced by his or her current
47 military identification card; or

48 (2) Was discharged or released from service in the Armed Forces of the
49 United States, a reserve component thereof or the National Guard under honorable
50 conditions, as evidenced by his or her DD Form 214, "Certificate of Release or
51 Discharge from Active Duty," or other document of honorable separation issued by
52 the United States Department of Defense;

1 (g) A nonrefundable fee equal to the nonvolunteer rate charged by the Central
2 Repository for Nevada Records of Criminal History and the Federal Bureau of
3 Investigation to obtain the reports required pursuant to subsection 1 of NRS
4 202.366; and

5 (h) A nonrefundable fee set by the sheriff not to exceed \$60.

6 **Sec. 19.** 1. Sections 1.7, 3, 4, 5, 7 and 9 to 18, inclusive, of this act shall be
7 construed as making amendments to provisions of state law for the purpose of
8 substituting the term “emergency order” for “ex parte order.”

9 2. Any judicial interpretation of a state law that is rendered, issued or entered
10 before July 1, 2021, which includes an interpretation of the term “ex parte order”
11 which is amended by or as a result of this act to refer instead to “emergency order”
12 shall be deemed to have the same meaning as though the term had remained
13 unchanged.

14 **Sec. 20.** NRS 33.610 is hereby repealed.

15 **Sec. 21.** This act becomes effective on July 1, 2021.

TEXT OF REPEALED SECTION

33.610 Duty of court to assist parties.

1. The clerk of the court or other person designated by the court shall provide any family or household member who files a verified application pursuant to NRS 33.560 or any adverse party, free of cost, with information about the:

- (a) Availability of ex parte or extended orders;
- (b) Procedures for filing an application for such an order;
- (c) Procedures for modifying, dissolving or renewing such an order; and
- (d) Right to proceed without counsel.

2. The clerk of the court or other person designated by the court shall assist any person in completing and filing the application, affidavit and any other paper or pleading necessary to initiate or respond to an application for an ex parte or extended order. This assistance does not constitute the practice of law, but the clerk shall not render any advice or service that requires the professional judgment of an attorney.