

ASSEMBLY BILL NO. 199—ASSEMBLYMEMBER D’SILVA

PREFILED FEBRUARY 3, 2025

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to firearms. (BDR 15-881)

FISCAL NOTE: Effect on Local Government: No. 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; revising the crime of discharging a firearm under certain circumstances; increasing the penalties for discharging a firearm under certain circumstances; revising the punishments for committing certain delinquent acts relating to firearms; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides that a person who maliciously, wantonly or negligently discharges or causes to be discharged any pistol, gun or other kind of firearm under certain circumstances is guilty of a misdemeanor. (NRS 202.280) **Section 1** of this bill removes the elements of maliciously and wantonly, thereby making the offense apply only to negligently discharging or causing to be discharged any pistol, gun or other kind of firearm under certain circumstances.

Existing law further provides that a person who willfully discharges any firearm, air gun or other weapon, or throws any deadly missile in a public place or in any place where any person might be endangered, although an injury does not result, is guilty of a gross misdemeanor. (NRS 202.290) **Section 2** of this bill increases the penalty for willfully discharging a firearm in a public place within a populated area designated as such for the purpose of prohibiting the discharge of weapons or in any place where any person might be endangered, although an injury does not result, making it: (1) a category C felony for a first offense; and (2) a category B felony, punishable by imprisonment for a minimum term of not less than 2 years and a maximum term of not more than 15 years, for a second or subsequent offense, any offense involving discharging a firearm more than once in a single occurrence or any offense where the person was previously convicted of an offense involving the discharge of a firearm.

Existing law prohibits a child under the age of 18 years from handling or possessing a firearm or having a firearm under his or her control and provides that a child who violates such provisions commits a delinquent act for which the court is



23 authorized to detain the child in the same manner as if the child had committed an  
24 act that would have been a felony if committed by an adult. (NRS 202.300)  
25 Existing law provides that if a child is adjudicated delinquent because the child  
26 handled or possessed a firearm or had a firearm under his or her control in violation  
27 of that provision of existing law, the juvenile court is required to, for a first offense:  
28 (1) order the child to perform 200 hours of community service; and (2) issue an  
29 order suspending the driver's license of the child for not more than 1 year or, if the  
30 child does not possess a driver's license, prohibit the child from receiving a driver's  
31 license for not more than 1 year. For a second offense, the juvenile court is required  
32 to: (1) order the child to perform at least 200 hours but not more than 600 hours of  
33 community service; and (2) issue an order suspending the driver's license of the  
34 child for at least 90 days but not more than 2 years, or if the child does not possess  
35 a driver's license, prohibit the child from receiving a driver's license for at least 90  
36 days and not more than 2 years. (NRS 62E.650) **Section 3** of this bill: (1) revises  
37 the punishments that the juvenile court is required to order such that the  
38 punishments for a second offense are now applicable to a first offense; and (2)  
39 authorizes the juvenile court, for a second offense, to commit the child for  
40 confinement in a secure facility for the detention of children and impose any other  
41 punitive measures that the court determines to be in the best interests of the public  
42 or child.

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

1 **Section 1.** NRS 202.280 is hereby amended to read as follows:  
2 202.280 1. ~~{Unless a greater penalty is provided in NRS~~  
3 ~~202.287, a}~~ **A** person, whether under the influence of liquor, a  
4 controlled substance or otherwise, who ~~{maliciously, wantonly or}~~  
5 negligently discharges or causes to be discharged any pistol, gun or  
6 any other kind of firearm, in or upon any public street or  
7 thoroughfare, or in any theater, hall, store, hotel, saloon or any other  
8 place of public resort, or throws any deadly missile in a public place  
9 or in any place where any person might be endangered thereby,  
10 although no injury results, is guilty of a misdemeanor.

11 2. All civil, military and peace officers shall be vigilant in  
12 carrying the provisions of subsection 1 into full force and effect.  
13 Any peace officer who neglects his or her duty in the arrest of any  
14 such offender is guilty of a gross misdemeanor.

15 **Sec. 2.** NRS 202.290 is hereby amended to read as follows:

16 202.290 Unless a greater penalty is provided in NRS 202.287,  
17 a person who willfully:

18 1. Aims any gun, pistol, revolver or other firearm, whether  
19 loaded or not, at or toward any human being ~~{; or}~~ **is guilty of a**  
20 **gross misdemeanor.**



1 2. Discharges any ~~firearm,~~ air gun or ~~other~~ weapon ~~;~~ *other*  
2 *than a firearm*, or throws any deadly missile in a public place or in  
3 any place where any person might be endangered thereby, although  
4 an injury does not result,

5 ~~;~~ is guilty of a gross misdemeanor.

6 3. *Discharges any firearm in a public place within an area*  
7 *designated by city or county ordinance as a populated area for the*  
8 *purpose of prohibiting the discharge of weapons or in any place*  
9 *where any person might be endangered thereby, although an*  
10 *injury does not result, is guilty of:*

11 (a) *For a first offense, a category C felony and shall be*  
12 *punished as provided in NRS 193.130.*

13 (b) *For a second or subsequent offense, or if the person*  
14 *discharges any firearm more than once in a single occurrence or*  
15 *has previously been convicted of any offense involving the*  
16 *discharge of a firearm, a category B felony and shall be punished*  
17 *by imprisonment in the state prison for a minimum term of not*  
18 *less than 2 years and a maximum term of not more than 15 years.*

19 **Sec. 3.** NRS 62E.650 is hereby amended to read as follows:

20 62E.650 ~~;~~ If a child is adjudicated delinquent because the  
21 child handled or possessed a firearm or had a firearm under his or  
22 her control in violation of NRS 202.300, the juvenile court : ~~shall:~~

23 ~~(a)~~ 1. For the first offense ~~;~~, *shall:*

24 ~~(1)~~ (a) Order the child to perform *at least* 200 hours *but*  
25 *not more than 600 hours* of community service; and

26 ~~(2)~~ (b) Issue an order suspending the driver's license of the  
27 child for ~~not more than 1 year~~ *at least 90 days but not more than*  
28 *2 years* or, if the child does not possess a driver's license, prohibit  
29 the child from receiving a driver's license for *at least 90 days but*  
30 *not more than 1 year;* ~~2 years:~~

31 ~~(1)~~ (1) Immediately following the date of the order, if  
32 the child is eligible to receive a driver's license.

33 ~~(2)~~ (2) After the date the child becomes eligible to  
34 receive a driver's license, if the child is not eligible to receive a  
35 license on the date of the order.

36 ~~(b)~~ 2. For the second offense ~~;~~

37 ~~(1)~~ Order the child to perform ~~at least 200 hours but not more~~  
38 ~~than 600 hours of community service; and~~

39 ~~(2)~~ Issue an order suspending the driver's license of the child  
40 for ~~at least 90 days but not more than 2 years or, if the child does not~~  
41 ~~possess a driver's license, prohibit the child from receiving a~~  
42 ~~driver's license for at least 90 days but not more than 2 years;~~

43 ~~(1)~~ Immediately following the date of the order, if the  
44 child is eligible to receive a driver's license.



1 ~~—————(H) After the date the child becomes eligible to receive a~~  
2 ~~driver's license, if the child is not eligible to receive a license on the~~  
3 ~~date of the order.~~

4 ~~—2. If the child is already the subject of a court order suspending~~  
5 ~~or delaying the issuance of the driver's license of the child, the~~  
6 ~~juvenile court shall order an additional suspension or delay, as~~  
7 ~~appropriate, to apply consecutively with the previous order.] , may:~~

8 *(a) Commit the child for confinement in a secure facility for*  
9 *the detention of children, including a facility which is secured by*  
10 *its staff; and*

11 *(b) Impose any other punitive measures that the juvenile court*  
12 *determines to be in the best interest of the public or the child.*

