

Transcript

December 20, 2024, 6:02PM

Good morning.

Time is 10:03am on Friday, December 20th,2024. and I'd like to call this meeting to order.

Welcome to the Department of Public Safety 's Records, Communications and Compliance Divisions meeting regarding a notice of intent to act upon a regulation for LCB file number R068-24 relating to concealed firearms.

My name is Erica Souza-Llamas and I am the Administrator for the Division.

I'd like to remind the audience that this hearing can be viewed on live stream through Microsoft Teams and is being recorded and we ask that virtual participants on those or those on the phone to mute themselves when they're not providing public comment, and remember to unmute yourself when providing public comment. There's a sign-in sheet for those attending in person, so please make sure you have signed in regardless of whether you intend to make public comment or not. Moving on to agenda item number 2, public comment.

I will take public comment on the NAC 202 regulation amendments listed on the agenda because of time considerations each person offering public comment will be limited to 2 minutes. Please state and spell your first and last name and state the name of your entity or organization for the record. Is there anybody in the room who would like to provide public comment?

No, okay.

Is there anybody on teams who would like to provide public comment?

Seeing none.

I don't see.

Do we see any in the chat?

Public comment. I'm not seeing any comments here.

We'll now open the hearing for the regulations on agenda item number 3, the notice of intent to act upon a regulation. Members of the public can find a draft regulations in a number of places, including on our public website at www.rccd.nv.gov and by clicking the resources tab, then clicking on resources again, you'll find meeting information towards the top of the page, and then you can click on 2023-2024 notice to act upon a regulation.

There are also printed copies of the material by the door if you're attending this meeting in person.

Nevada Administrative Code chapter 202, pertains to concealed weapons.

Existing law sets forth the requirements for a person to obtain a concealed firearm and to renew such a permit.

Existing law also provides that an application for a permit to carry a concealed firearm or the renewal of a permit, be on a form prescribed by regulation by the Department of Public Safety. The existing regulations set forth separate application forms for the issuance and renewal of a permit.

Section 1 of this regulation provides for some clean up as a result of the amendments.

Section 2 combines the separate applications into a single application form.

Section 2 also revises the application for a permit to carry a concealed firearm to conform to existing law. These revisions eliminate obsolete language relating to the number of and types of firearms to which a permit applies. Having a concealed firearm in certain buildings and the expiration of a permit to carry.

Section 2 further amends the application form to require the sheriff conducting an investigation for the issuance for renewal of a permit to determine if the applicant meets the applicable requirements of existing law and includes revised and added questions.

I'll now read through the proposed regulatory amendments to NAC 202.

Section 1.

NAC 202.010 is hereby amended to read as follows, as used in NAC 202.020 unless the context otherwise requires.

"Concealed firearm" has the meaning ascribed to it in subsection 1 of NRS 202.3653.

"Permit" has a meaning ascribed to it in subsection 4 of NRS 202.3653.

Section 2.

NAC 202.020 is hereby amended to read as follows. In addition to the requirements of subsection 2, the application form for the issuance or renewal of permit to carry a concealed firearm must contain the following sections, which must be in substantially the following form.

General information.

The sheriff shall issue or renew a permit to carry a concealed firearm to any person who is qualified to possess a firearm under state and federal law.

A permittee shall carry the permit together with proper identification whenever the

permittee is in actual possession of concealed firearm. Both the permit and proper identification must be presented to a peace officer upon request.

Information pertaining to locations for a permittee shall not carry is being repealed as this is set forth in NRS 202.3673.

Language goes on to say, unless suspended or revoked by the sheriff, a permit expires 5 years after the date on which the permit was issued or renewed. This is being changed to conform to state statute in reference to how long a permit is valid. A permittee shall notify the sheriff who issued the permit in writing within thirty days if the permit is permanent address changes, or if the permit is lost, stolen, or destroyed.

Majority of the eligibility section is being removed because the eligibility is set forth in NRS 202.3657. The amended language now says the sheriff shall conduct an investigation of an applicant pursuant to NRS 202.366 to determine if the applicant is eligible for a permit pursuant to NRS 202.3657 or the renewal of the permit pursuant to NRS 202.3677 as applicable.

The next section provides for applicant information that should be included on the sheriff's applications and will include last name, first name, middle initial, any alias used or former name, current resident address, City, ZIP, any previous addresses for the past 5 years. It provides several sections to provide previous addresses.

Firearm make, model and caliber has been removed as existing law does not require this information to be collected from the applicant.

Next we move down to the applicant eligibility.

Questions where questions have been added and existing questions have been renumbered.

Following questions are to be answered either yes or no.

Number 1. Are there currently any outstanding warrants for your arrest?

Number 2. Have you been judicially declared incompetent or insane?

Number 3. During the 5 years immediately preceding the date of this application, have you been voluntarily or involuntarily committed to a mental health facility?

Number 4. During the 5 years preceding the date of this application, have you been convicted of driving under the influence of alcohol or controlled substance?

Number 5. During the 5 years immediately preceding the date of this application, has a court ordered you to enter a program for the treatment of alcohol or drug abuse?

Number 6. During the 3 years immediately preceding the date of this application have you been charged with or convicted of a crime involving the use or threatened

use of force or violence?

Number 7. Have you ever been convicted of a felony?

Number 8. Have you ever been convicted of a crime involving domestic violence or stalking?

Number 9. Are you currently subject to a restraining order, injunction, or other order for protection against domestic violence?

Number 10. Are you currently subject to an emergency or extended order for protection against high-risk behavior?

Number 11. Are you currently on parole or probation?

Number 12. During the 5 years immediately preceding the date of this application have you been subject to any requirements imposed by a court as a condition to the court 's withholding the entry of judgement or suspension of a sentence for conviction of a felony?

Number 13. Have you ever made a false statement on any application for the issuance or renewal of a permit to carry a concealed firearm?

Number 14. Have you ever been discharged or released from service in the armed forces, including without limitation, the armed forces of the United States, a reserve component thereof, or the National Guard under conditions other than honorable conditions?

Number 15. During the year immediately preceding the date of this application have you consumed cannabis?

If you answered yes to any of the above questions attached to your application or written statement explaining in detail the circumstances of the incident.

Next section is the certification.

It says I declare under penalty of perjury, that's going application is true and correct, and it provides a space for date and signature and notary information.

The application form for the issuance or renewal of a permit to carry a concealed firearm must contain a section entitled instructions that advises the applicant

- A. As to the nonrefundable fees that must be submitted
- B. As to the method by which payment of fees must be made.
- C. That a complete set of the applicant 's fingerprints taken by the sheriff or an agent thereof, must accompany the application for the issuance or renewal of a permit to carry a concealed firearm.

- D. That the front view colored photograph of the applicant taken by the sheriff or the agent must accompany the application for an initial permit to carry a concealed firearm.
- E. That a certificate or other document that certifies that the applicant has successfully completed a course in firearm safety must accompany the application for an initial permit to carry a concealed firearm or demonstrates continued competence with firearm through successful completion of a course prescribed by the sheriff must accompany the application for the renewal of a permit to carry a concealed firearm and of any other information required to process the application.

Section 3.

NAC 202.030 and NAC 202.040 are hereby repealed, and this is because the regulatory amendment combines the applications for an initial permit and a renewal. With that, I'm going to go to agenda item number 4 and open our 2nd public comment period. I'll take public comment on the NAC 202 regulation amendments listed on the agenda because of time considerations, each person offering public comment will be limited to 2 minutes.

Please state and spell your first and last name and state the name of your entity or organization for the record. Is there anybody in the room and that would like to make public comment?

I have a tough question. Is now the proper time to ask questions?

OK, my name is Jeffrey Peebles.

I'm retired law enforcement.

I'm currently a CCW firearms instructor.

My questions are on page 3, where it's been sitting in red about where or maybe you should not carry a firearm into and it lists all the places. Is that going to be updated in the law or is that going to go away? I mean as far as schools, courtrooms, stuff like that.

Right. I have not seen 2025 legislative sessions getting ready to gear up and we're watching it closely so and we will if there are any bills that do drop, we will be watching it.

Okay, and my other question has to do with the form itself. Is each sheriff's office going to have their own form with these questions on it, or is it going to be a standardized form used by all the sheriff's offices?

It's my understanding that the sheriff's offices have to use minimally, what we prescribe here in the regulation, and I do believe that they are able to add additional if they desire.

But they can't ask additional questions correct?

I think we've seen that in the past.

Yes.

And I don't think there's anything that prohibits them from doing that.

Okay, my concern would be like some of the agencies, not counting Clark County, because they at the time they could but some of these wanted serial numbers and things like that and then that was made to go away. This was several years ago.

Okay.

But they weren't. They didn't have blue card before the blue card laws went away and everything, and it was only applicable in Clark County but there was some of the local counties that were asking and I don't see that coming back.

Gotcha. I can't imagine it would come back. I mean, the law doesn't allow for it, so you know. I'll have to take a look at that if it if it were to arise again.

Thank you.

Any other questions here in the room?

No.

How about online? Do we have any questions online? Any on the phone?

Seeing none.

All right so RCCD did solicit for written comments, with the posting of this meeting notification. We did not receive any written comments.

Moving on to agenda 5 or agenda item number 5, I want to thank everybody for taking the time to attend today's meeting and want to wish everybody a happy, happy and safe holiday season. Thank you for your time today.

Thank you.

Thank you and thank you for keeping us updated.

Absolutely, my pleasure.

It's definitely appreciated.

Meeting adjourned.