

# NRS Codes and

Applicable to Concealed Carry Weapon (CCW) Permits

# U.S. Code

## NRS 0.060 – “Substantial Bodily Harm” Defined



Unless the context otherwise requires, "substantial bodily harm" means:

1. Bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ; or
2. Prolonged physical pain.

# NRS 200.120 – Justifiable Homicide

- Justifiable homicide is the killing of a human being in necessary self-defense, or in defense of an occupied habitation, an occupied motor vehicle or a person, against one who manifestly intends or endeavors to commit a crime of violence, or against any person or persons who manifestly intend and endeavor, in a violent, riotous, tumultuous or surreptitious manner, to enter the occupied habitation or occupied motor vehicle, of another for the purpose of assaulting or offering personal violence to any person dwelling or being therein.
- A person is not required to retreat before using deadly force as provided in subsection 1 if the person:
  - a. Is not the original aggressor;
  - b. Has a right to be present at the location here deadly force is used; and
  - c. Is not actively engaged in conduct in furtherance of criminal activity at the time of deadly force is used.



# NRS 200.130 – Bare Fear

- **NRS 200.130 Bare fear insufficient to justify killing; reasonable fear required.**
- **A bare fear of any of the offenses mentioned in NRS 200.120, to prevent which the homicide is alleged to have been committed, shall not be sufficient to justify the killing.**
- **It must appear that the circumstances were sufficient to excite the fears of a reasonable person, and that the party killing really acted under the influence of those fears and not in a spirit of revenge.**



# NRS 200.160 – Additional Cases of Justifiable Homicide

Homicide is also justifiable when committed:

- In the lawful defense of the slayer, or his or her spouse, parent, child, brother or sister, or of any other person in his or her presence or company, when there is reasonable ground to apprehend a design on the part of the person slain to commit a felony or to do some great personal injury to the slayer or to any such person, and there is imminent danger of such design being accomplished; or
- In the actual resistance of an attempt to commit a felony upon the slayer, in his or her presence, or upon or in a dwelling, or other place of abode in which the slayer is.



# NRS 202.120

If a person kills another in self-defense, it must appear that:

1. The danger was so urgent and pressing that, in order to save the person's own life, or to prevent the person from receiving great bodily harm, the killing of the other was absolutely necessary; and
2. The person killed was the assailant, or that the slayer had really, and in good faith, endeavored to decline any further struggle before the mortal blow was given

# NRS 202.253 – Weapons Defined

As used in NRS 202.253 to 202.369, inclusive:

1. "Antique firearm" has the meaning ascribed to it in 18 U.S.C. § 921(a)(16).
2. "Explosive or incendiary device" means any explosive or incendiary material or substance that has been constructed, altered, packaged or arranged in such a manner that its ordinary use would cause destruction or injury to life or property.
3. "Firearm" means any device designed to be used as a weapon from which a projectile may be expelled through the barrel by the force of any explosion or other form of combustion.
4. "Firearm capable of being concealed upon the person" applies to and includes all firearms having a barrel less than 12 inches in length.



# NRS 202.257 – Possession of firearm when under influence of alcohol, controlled substance or other intoxicating substance

1. It is unlawful for a person who:
  - a. Has a concentration of alcohol of 0.08 or more in his or her blood or breath; or
  - b. Is under the influence of any controlled substance, or is under the combined influence of intoxicating liquor and a controlled substance, or any person who inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders him or her incapable of safely exercising actual physical control of a firearm, to have in his or her actual physical possession any firearm. This prohibition does not apply to the actual physical possession of a firearm by a person who was within the person's personal residence and had the firearm in his or her possession solely for self defense.



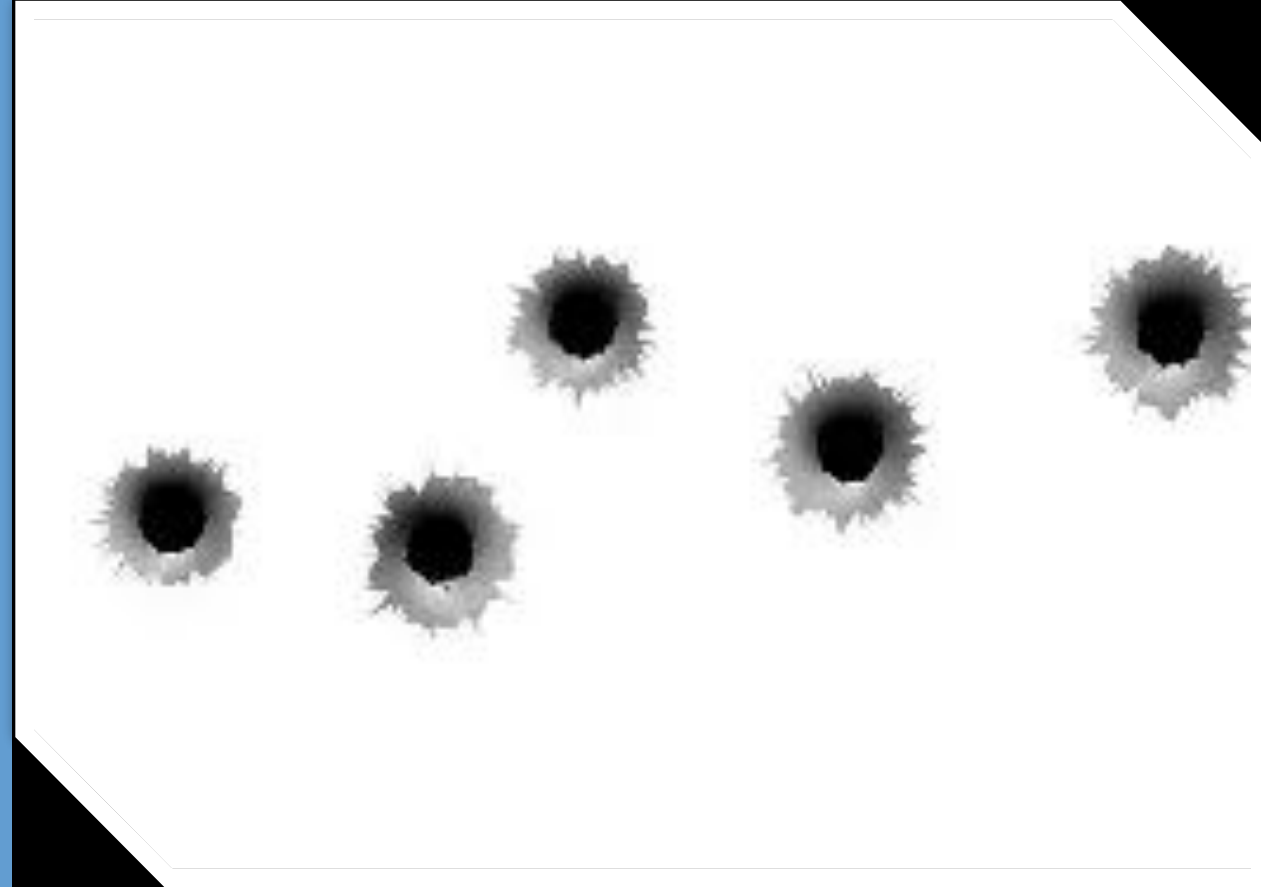
# NRS 202.265 – Possession of dangerous weapon on property or in vehicle of school or childcare facility

1. Except as otherwise provided in this section, a person shall not carry or possess while on the property of the Nevada System of Higher Education, a private or public school or childcare facility, or while in a vehicle of a private or public school or childcare facility:
  - (a) An explosive or incendiary device;
  - (b) A dirk, dagger or switchblade knife;
  - (c) A nunchaku or trefoil;
  - (d) A blackjack or billy club or metal knuckles;
  - (e) A pneumatic gun;
  - (f) A pistol, revolver or other firearm; or
  - (g) Any device used to mark any part of a person with paint or any other substance.
2. Any person who violates subsection 1 is guilty of a gross misdemeanor.
3. This section does not prohibit the possession of a weapon listed in subsection 1 on the property of:
  - (a) A private or public school or childcare facility by a:
    - (1) Peace officer;
    - (2) School security guard; or
    - (3) Person having written permission from the president of a branch or facility of the Nevada System of Higher Education or the principal of the school or the person designated by a childcare facility to give permission to carry or possess the weapon.
  - (b) A childcare facility which is located at or in the home of a natural person by the person who owns or operates the facility so long as the person resides in the home and the person complies with any laws governing the possession of such a weapon.
4. The provisions of this section apply to a childcare facility located at or in the home of a natural person only during the normal hours of business of the facility.



# NRS 202.280 – Discharging firearm in or upon public streets or in places of public resort

- Unless a greater penalty is provided in NRS 202.287, a person, whether under the influence of liquor, a controlled substance or otherwise, who maliciously, wantonly or negligently discharges or causes to be discharged any pistol, gun or any other kind of firearm, in or upon any public street or thoroughfare, or in any theater, hall, store, hotel, saloon or any other place of public resort, or throws any deadly missile in a public place or in any place where any person might be endangered thereby, although no injury results, is guilty of a misdemeanor.



## **NRS 202.285 – Discharging firearm at or into structure, vehicle, aircraft or watercraft; penalties**

- A person who willfully and maliciously discharges a firearm at or into any house, room, apartment, tenement, shop, warehouse, store, mill, barn, stable, outhouse or other building, tent, vessel, aircraft, vehicle, vehicle trailer, semitrailer or house trailer, railroad locomotive, car or tender:
  - a. If it has been abandoned, is guilty of a misdemeanor unless a greater penalty is provided in NRS 202.287.
  - b. If it is occupied, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

# NRS 202.290 – Aiming firearm at human being; discharging weapon where person might be endangered



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

1. Aims any gun, pistol, revolver or other firearm, whether loaded or not, at or toward any human being; or
2. 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 thereby, although an injury does not result, is guilty of a gross misdemeanor.

# NRS 202.300 – Use or possession of firearm by child under age of 18 years

Except as otherwise provided in this section, a child under the age of 18 years shall not handle or have in his or her possession or under his or her control, except while accompanied by or under the immediate charge of his or her parent or guardian or an adult person authorized by his or her parent or guardian to have control or custody of the child, any firearm of any kind for hunting or target practice or for other purposes.

1. A child who violates this subsection commits a delinquent act and the court may order the detention of the child in the same manner as if the child had committed an act that would have been a felony if committed by an adult.
2. A person who aids or knowingly permits a child to violate subsection 1.



# NRS 202.320 – Drawing deadly weapon in threatening manner

Unless a greater penalty is provided in NRS 202.287, a person having, carrying or procuring from another person any dirk, dirk-knife, sword, sword cane, pistol, gun or other deadly weapon, who, in the presence of two or more persons, draws or exhibits any of such deadly weapons in a rude, angry or threatening manner not in necessary self-defense, or who in any manner unlawfully uses that weapon in any fight or quarrel, is guilty of a misdemeanor.



## **NRS 202.350 – Manufacture, importation, possession or use of dangerous weapon or silencer**

1. Except as otherwise provided in this section and NRS 202.3653 to 202.369, inclusive, a person within this State shall not:
  - a. Manufacture or cause to be manufactured, or import into the State, or keep, offer or expose for sale, or give, lend or possess any instrument or weapon of the kind commonly known as a blackjack, slungshot, billy, sand-club, sandbag or metal knuckles;
  - b. Manufacture or cause to be manufactured, or import into the State, or keep, offer or expose for sale, or give, lend, possess or use a machine gun or a silencer, unless authorized by federal law;
  - c. With the intent to inflict harm upon the person of another, possess or use a nunchaku or trefoil

## **NRS 202.360 – Ownership or possession of firearm by certain persons prohibited**

1. A person shall not own or have in his or her possession or under his or her custody or control any firearm if the person:
  - a. Has been convicted of the crime of battery which constitutes domestic violence pursuant to NRS 200.485, or a law of any other jurisdiction that prohibits the same or substantially similar conduct, committed against or upon:
    - i. The spouse or former spouse of the person;
    - ii. Any other person with whom the person has had or is having a dating relationship, as defined in NRS 33.018;
    - iii. Any other person with whom the person has a child in common;
    - iv. The parent of the person; or
    - v. The child of the person or a child for whom the person is the legal guardian.

# NRS 202.3653 – Concealed Firearms – Definitions

As used in NRS 202.3653 to 202.369, inclusive, unless the context otherwise requires:

1. "Concealed firearm" means a loaded or unloaded handgun which is carried upon a person in such a manner as not to be discernible by ordinary observation.
2. "Department" means the Department of Public Safety.
3. "Handgun" has the meaning ascribed to it in 18 u.s.c. § 921 {a) {29).
4. "Permit" means a permit to carry a concealed firearm issued pursuant to the provisions of NRS 202.3653 to 202.369, inclusive.

## **NRS 202.3667 – Permittee to carry permit and proper identification when in possession of concealed firearm**

1. Each permittee shall carry the permit, or a duplicate issued pursuant to the provisions of NRS 202.367, together with proper identification whenever the permittee is in actual possession of a concealed firearm. Both the permit and proper identification must be presented if requested by a peace officer.
2. A permittee who violates the provisions of this section is subject to a civil penalty of \$25 for each violation.

# NRS 202.367 – Duplicate permit; notification to sheriff of recovered permit

A permittee shall notify the sheriff who issued his or her permit in writing within 30 days if the permittee's:

- Permanent address changes; or
- Permit is lost, stolen or destroyed.

The sheriff shall issue a duplicate permit to a permittee if the permittee:

- Submits a written statement to the sheriff, signed under oath, stating that his or her permit has been lost, stolen or destroyed; and
- Pays a nonrefundable fee of \$15.

If any permittee subsequently finds or recovers his or her permit after being issued a duplicate permit pursuant to this section, the permittee shall, within 10 days:

- Notify the sheriff in writing; and
- Return the duplicate permit to the sheriff.

A permittee who fails to notify a sheriff pursuant to the provisions of this section is subject to a civil penalty of \$25.

## **NRS 202.3673 – Permittee authorized to carry concealed firearm while on premises of public building**

- **Public buildings:** Including courthouses, public schools, universities, childcare centers, and other public buildings with metal detectors or signs prohibiting firearms
- **Government buildings:** Including federal, state, and local government buildings
- **Prisons and jails:** Including county or city jails and detention facilities
- **Law enforcement facilities:** Including any facility of a law enforcement agency
- **Private property:** The owner or manager of private property can deny access, ask you to leave, or require you to secure your weapon
- **Places prohibited by state or federal law:** Any other place where carrying a concealed firearm is prohibited by state or federal law
- **Posted areas of “NO FIREARMS”**

## **NRS 202.3677 – Permittee to carry permit and proper identification when in possession of concealed firearm**

1. If a permittee wishes to renew his or her permit, the permittee must:
  - a. Complete and submit to the sheriff who issued the permit an application for renewal of the permit; and
  - b. Undergo an investigation by the sheriff pursuant to NRS 202.366 to determine if the permittee is eligible for a permit.
2. An application for the renewal of a permit must:
  - a. Be completed and signed under oath by the applicant;
  - b. Contain a statement that the applicant is eligible to receive a permit pursuant to NRS 202.3657;
  - c. Be accompanied by a nonrefundable fee equal to the non-volunteer rate charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation to obtain the reports required pursuant to subsection 1 of NRS 202.366; and
  - d. Be accompanied by a nonrefundable fee of \$25.
  - e. If a permittee fails to renew his or her permit on or before the date of expiration of the permit, the application for renewal must include an additional nonrefundable late fee of \$15.
3. No permit may be renewed pursuant to this section unless the permittee has demonstrated continued competence with handguns by successfully completing a course prescribed by the sheriff renewing the permit.

# Federal Regulations (18 USC§ 922)

- **922(D)**: Prohibits the transfer of firearms to individuals who are subject to domestic violence protection orders.
- **922(G)**: Defines who is prohibited from possessing firearms.
- **922(N)**: Prohibits individuals under indictment for a crime punishable by more than one year from possessing firearms.
- **922(D)(8) & 922(G)(8)**: Specifically address domestic violence protection orders.

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Is a section of the Federal Criminal Code that outlines various unlawful acts related to firearms and ammunition. It prohibits certain individuals from shipping, transporting, receiving, or possessing firearms or ammunition, as well as prohibiting the transfer of firearms to certain individuals.

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18 USC 922(a) Prohibits certain acts related to the firearm industry, like engaging in the business of importing, manufacturing, or dealing in firearms without a license. It also prohibits certain transfers of firearms, like those to individuals who are not legally permitted to possess them.

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18 u.S.C. 922(g) specifies categories of individuals who are prohibited from possessing or receiving firearms. This includes those with prior convictions, fugitives from justice, unlawful users of controlled substances, and those subject to certain court orders like domestic violence protection orders.

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It is unlawful to transfer firearms to individuals prohibited from possessing them under federal law. This includes individuals convicted of felonies, fugitives from justice, unlawful users of controlled substances, those adjudicated as mentally defective or committed to a mental institution, and others listed in 18 USC 922(g). The gun control act (GCA) outlines these prohibited individuals and makes it a crime to transfer or receive firearms if they fall into these categories.