

CLARK AND WASHOE PUBLIC DEFENDERS OFFICE PROPOSED AMENDMENT TO 199

Contact information:

Paloma Guerrero

Deputy Public Defender

Clark County Public Defenders Office

(702) 467-1619 or

Paloma.Guerrero@clarkcountynv.gov

309 S. Third Street

Las Vegas, NV 89155-2610

Angela Knott

Deputy Public Defender

Washoe County Public Defenders Office

(775) 337-4825 or AKnott@washoecounty.gov

350 S. Center St., 5th Floor

Reno, NV 89501

INTENT OF AMENDMENT

To remove maliciously, wantonly language from a misdemeanor discharging a firearm and leave only the negligent language. To restore the original language to the bill and leave discharging a firearm where person might be endangered as a gross misdemeanor and get rid of the enhancement of penalties.

PROPOSED AMENDMENTS TO

EXPLANATION: Matters 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; and (5) **orange double underlining** is deleted language in the original bill proposed to be retained in this amendment.

PROPOSE TO AMEND BILL AS FOLLOWS:

Amendment #1:

NRS 202.280 Discharging firearm in or upon public streets or in places of public resort; throwing deadly missiles; duties of civil, military and peace officers; penalties.

1. ~~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.

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

Amendment #2:

NRS 202.290 Aiming firearm at human being; discharging weapon where person might be endangered; penalty. 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 is guilty of a gross misdemeanor.~~

2. Discharges any firearm, air gun or other weapon, ~~other than a firearm~~, 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.

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

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

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