



Pacific Law Journal Review of Selected Nevada Legislative

Volume 1989 | Issue 1

Article 58

1-1-1989

Crimes; weapons-confiscation

The University of the Pacific, McGeorge School of Law

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Recommended Citation

The University of the Pacific, McGeorge School of Law, *Crimes; weapons-confiscation*, 1989 U. PAC. L. REV. (2019).

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Crimes; weapons—confiscation

NEV. REV. STAT. §§ 202.340, 453.301 (amended).
SB 103 (Hickey); 1989 STAT. Ch. 11

Existing law allows for the seizure and forfeiture¹ of specific property² used in or obtained through the commission of a crime related to controlled substances.³ Chapter 11 adds to the list of property subject to seizure and forfeiture all firearms⁴ which are in the possession⁵ of a person who commits a crime involving a controlled substance.⁶

BAS

1. See NEV. REV. STAT. §§ 179.1156-.119 (1987) (procedures governing the seizure, forfeiture and disposition of property). *But see* One 1978 Chevrolet Van v. County of Churchill, 97 Nev. 510, 512, 634 P.2d 1208, 1209 (1981) (wife's interest in a van jointly owned with husband was not subject to forfeiture where the county failed to prove that she knew that her husband used the van to illegally transport controlled substances).

2. See NEV. REV. STAT. § 453.301 (1987) (amended by 1989 Nev. Stat. ch. 11, sec. 1, at 11) (definition of property includes: raw materials, products, and equipment used in the manufacture and delivery of controlled substances; any aircraft, vehicles, or vessels used to transport or conceal controlled substances; and anything of value furnished in exchange for a controlled substance).

3. *Id.* §§ 179.1156-.119 (1987). See *id.* §§ 453.011-.552 (1987) (defining crimes which involve controlled substances, including the manufacturing, distribution, selling, and possession not for purpose of sale). See *id.* § 0.031 (1987) (definition of controlled substance).

4. See *id.* § 202.253 (1987) (definition of firearms).

5. See 1989 Nev. Stat. ch. 11, sec. 1, at 11 (amending NEV. REV. STAT. § 453.301) (including actual or constructive possession).

6. *Id.*