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Office of the Governor

June 2, 2025

The Honorable Nicole Cannizzaro
Majority Leader of the Nevada State Senate
401 South Carson Street
Carson City, Nevada 89701

Re: Senate Bill 89 of the 83rd Legislative Session

Dear Leader Cannizzaro:

I am forwarding to you, for filing within the time limit set forth in the Nevada Constitution and without my approval, Senate Bill 89 ("SB 89"), which is titled as follows:

AN ACT relating to crimes; prohibiting the purchase, possession or ownership of a firearm by a person who has been convicted of committing or attempting to commit a crime motivated by certain characteristics of the victim; and providing other matters properly relating thereto.

This bill is nearly identical to SB 171 from the 82nd legislative session. As explained just over two years ago, it is an undoubtedly important objective to decrease gun violence among those convicted of hate crimes. Any person who commits a violent crime motivated by a hateful animus based on their victim's race, sex, religion, or other characteristic should face heightened scrutiny related to their gun ownership.

That said, this bill, like last session's bill, is critically flawed in that it would potentially deprive individuals of their Second Amendment right to bear arms for a crime with no nexus to firearms whatsoever. Moreover, since crimes based on hate are indeed severe, they should be treated as such and be tried as felonies. Arguments raised by several of the bill's proponents that certain crimes in this bill should not be tried as felonies because that would take away other of the accused's fundamental rights are understandable but misguided. The United States Supreme Court made clear in *New York State Rifle & Pistol Association, Inc. v. Bruen*, that the constitutional right to bear arms, "is not a second-class right, subject to an entirely different body of rules than the other Bill of Rights guarantees."

(full citation omitted). Considering that reasoning, it is difficult to understand why certain legislators think that when a hate crime is committed, the only constitutional right the accused should permanently lose is the right to bear arms.

As such, since this bill does not require a nexus between firearm use and the underlying crime, and does not make the underlying hate crime a felony, I cannot support it.

For these reasons, I veto this bill and return it to you without my signature or approval.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Joe Lombardo', is written over the typed name and title.

JOE LOMBARDO

Governor of Nevada

Enclosure

cc: The Honorable Stavros Anthony, President of the Senate (without enclosure)
The Honorable Steve Yeager, Speaker of the Assembly (without enclosure)
The Honorable Francisco Aguilar, Secretary of State (without enclosure)
Brendan Bucy, Secretary of the Senate (without enclosure)
Bonnie Borda Hoffecker, Chief Clerk of the Assembly (without enclosure)
Diane Thornton, Legislative Counsel Bureau, Director (without enclosure)
Asher Killian, Legislative Counsel Bureau, Legislative Counsel (without enclosure)