

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 88**

Introduced by Christensen, 44.

Read first time January 06, 2011

Committee: Judiciary

A BILL

1 FOR AN ACT relating to the Concealed Handgun Permit Act; to amend  
2 section 69-2429, Reissue Revised Statutes of Nebraska,  
3 and section 69-2427, Revised Statutes Cumulative  
4 Supplement, 2010; to define a term; to provide signage  
5 requirements and duties for the Nebraska State Patrol; to  
6 harmonize provisions; and to repeal the original  
7 sections.

8 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 69-2427, Revised Statutes Cumulative  
2 Supplement, 2010, is amended to read:

3                   69-2427 Sections 69-2427 to 69-2449 and section 3 of this  
4 act shall be known and may be cited as the Concealed Handgun Permit  
5 Act.

6                   Sec. 2. Section 69-2429, Reissue Revised Statutes of  
7 Nebraska, is amended to read:

8                   69-2429 For purposes of the Concealed Handgun Permit Act:

9                   (1) Concealed handgun means the handgun is totally hidden  
10 from view. If any part of the handgun is capable of being seen, it is  
11 not a concealed handgun;

12                   (2) Emergency services personnel means a volunteer or  
13 paid firefighter or rescue squad member or a person licensed to  
14 provide emergency medical services pursuant to the Emergency Medical  
15 Services Practice Act;

16                   (3) Handgun means any firearm with a barrel less than  
17 sixteen inches in length or any firearm designed to be held and fired  
18 by the use of a single hand;

19                   (4) Peace officer means any town marshal, chief of police  
20 or local police officer, sheriff or deputy sheriff, the  
21 Superintendent of Law Enforcement and Public Safety, any officer of  
22 the Nebraska State Patrol, any member of the National Guard on active  
23 service by direction of the Governor during periods of emergency or  
24 civil disorder, any Game and Parks Commission conservation officer,  
25 and all other persons with similar authority to make arrests;

1           (5) Permitholder means an individual holding a current  
2 and valid permit to carry a concealed handgun issued pursuant to the  
3 Concealed Handgun Permit Act; ~~and~~

4           (6) Posted conspicuous notice means a clearly visible  
5 sign posted at each entrance to a place or premises open to the  
6 public. The sign shall comply with section 3 of this act; and

7           ~~(6)~~-(7) Proof of training means an original document or  
8 certified copy of a document, supplied by an applicant, that  
9 certifies that he or she either:

10           (a) Within the previous three years, has successfully  
11 completed a handgun training and safety course approved by the  
12 Nebraska State Patrol pursuant to section 69-2432; or

13           (b) Is a member of the active or reserve armed forces of  
14 the United States or a member of the National Guard and has had  
15 handgun training within the previous three years which meets the  
16 minimum safety and training requirements of section 69-2432.

17           Sec. 3. (1) The Nebraska State Patrol shall create a  
18 standardized sign for use by any person, entity, or employer in  
19 control of property prohibiting a permitholder from carrying a  
20 concealed handgun in or on the place or premises.

21           (2) The sign shall:

22           (a) Be at least eleven inches tall and eight and one-half  
23 inches wide;

24           (b) Have a white background containing a five-inch red  
25 circle with a slash covering an image of a black handgun;

1           (c) Use contrasting black and red font and include the  
2 following text: NOTICE. Concealed handgun permitholders carrying  
3 concealed handguns are PROHIBITED in or on this place or premises.  
4 Those in control of this property have prohibited such permitholders  
5 from possessing or carrying a concealed handgun on these premises.  
6 Posted pursuant to Nebraska Revised Statutes section 69-2441;

7           (d) Be posted at each entrance to the place or premises  
8 between fifty-four inches and sixty-six inches above the floor or  
9 ground;

10           (e) Be posted either on the door of each entrance to the  
11 place or premises or within twelve inches on either side of the  
12 doorway of each entrance, if the place or premises is a building;

13           (f) Be posted within twenty-four inches on either side of  
14 each designated motor vehicle, bicycle, or pedestrian entrance to the  
15 place or premises if the place or premises is not a building; and

16           (g) Not be obstructed or altered in any way and, if the  
17 sign becomes illegible for any reason, be immediately replaced with a  
18 legible sign.

19           Sec. 4. Original section 69-2429, Reissue Revised  
20 Statutes of Nebraska, and section 69-2427, Revised Statutes  
21 Cumulative Supplement, 2010, are repealed.