

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 860

Introduced by Lautenbaugh, 18.

Read first time January 11, 2010

Committee: Judiciary

A BILL

1 FOR AN ACT relating to the Concealed Handgun Permit Act; to amend
2 section 69-2433, Reissue Revised Statutes of Nebraska;
3 to change permit application provisions relating to
4 misdemeanor crimes of violence; and to repeal the
5 original section.

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

1 Section 1. Section 69-2433, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 69-2433 An applicant shall:

4 (1) Be at least twenty-one years of age;

5 (2) Not be prohibited from purchasing or possessing a
6 handgun by 18 U.S.C. 922, as such section existed on January 1,
7 2005;

8 (3) Possess the same powers of eyesight as required under
9 section 60-4,118 for a Class O operator's license. If an applicant
10 does not possess a current Nebraska motor vehicle operator's
11 license, the applicant may present a current optometrist's or
12 ophthalmologist's statement certifying the vision reading obtained
13 when testing the applicant. If such certified vision reading meets
14 the vision requirements prescribed by section 60-4,118 for a Class
15 O operator's license, the vision requirements of this subdivision
16 shall have been met;

17 (4) Not have pled guilty to, not have pled nolo
18 contendere to, or not have been convicted of a felony ~~or~~ a
19 ~~crime of violence~~ under the laws of this state or under the laws of
20 any other jurisdiction;

21 (5) Not have pled guilty to, not have pled nolo
22 contendere to, or not have been convicted of a misdemeanor crime
23 of violence under the laws of this state or under the laws of any
24 other jurisdiction within the ten years immediately preceding the
25 date of application;

1 ~~(5)~~ (6) Not have been found in the previous ten years to
2 be a mentally ill and dangerous person under the Nebraska Mental
3 Health Commitment Act or a similar law of another jurisdiction or
4 not be currently adjudged mentally incompetent;

5 ~~(6)(a)~~ (7)(a) Have been a resident of this state for
6 at least one hundred eighty days. For purposes of this section,
7 resident does not include an applicant who maintains a residence in
8 another state and claims that residence for voting or tax purposes
9 except as provided in subdivision (b) of this subdivision; or

10 (b) If an applicant is a member of the United States
11 Armed Forces, such applicant shall be considered a resident of
12 this state for purposes of this section after he or she has been
13 stationed at a military installation in this state pursuant to
14 permanent duty station orders even though he or she maintains a
15 residence in another state and claims that residence for voting or
16 tax purposes;

17 ~~(7)~~ (8) Have had no violations of any law of this state
18 relating to firearms, unlawful use of a weapon, or controlled
19 substances or of any similar laws of another jurisdiction in the
20 ten years preceding the date of application;

21 ~~(8)~~ (9) Not be on parole, probation, house arrest, or
22 work release;

23 ~~(9)~~ (10) Be a citizen of the United States; and

24 ~~(10)~~ (11) Provide proof of training.

25 Sec. 2. Original section 69-2433, Reissue Revised

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1 Statutes of Nebraska, is repealed.