

**ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015**  
**COMMITTEE STATEMENT**  
**LB190**

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**Hearing Date:** Thursday January 22, 2015  
**Committee On:** Judiciary  
**Introducer:** Bloomfield  
**One Liner:** Change concealed handgun permit application provisions

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**  
**Aye:** 6 Senators Seiler, Coash, Ebke, Krist, Morfeld, Williams  
**Nay:** 2 Senators Chambers, Pansing Brooks  
**Absent:**  
**Present Not Voting:**

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**Verbal Testimony:**

**Proponents:**  
SEN. DAVE BLOOMFIELD  
ROD MOELLER

**Representing:**  
INTRODUCER  
NEBRASKA FIREARMS OWNER'S ASSOCIATION

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

LB190 would amend the Concealed Handgun Permit Act (Sections 69-2427 to 69-2449) to include the spouse of a member of the US Armed Forces in the list of potential applicants for a concealed handgun permit. As currently written, a member of the armed forces is a "resident" for purposes of the act, and could apply for a permit, but their spouse is not a "resident" for purposes of this act, and cannot apply for a concealed handgun permit.

Section 1 would amend Section 69-2433, to include military spouses and certain non-citizens in the application provisions for a concealed handgun permit.

Under 69-2433, an individual must be a resident of Nebraska for at least 180 days before applying for a concealed carry permit. Generally, an individual who maintains a permanent residence in a different state cannot be considered a resident of Nebraska for purposes of the concealed handgun permit. However, a member of the armed forces may maintain a residence in a different state, and still apply for a concealed handgun permit in Nebraska. A military spouse, however, is not currently able to apply for a concealed handgun permit in Nebraska.

On page 3, lines 3-4, LB190 would add: "The spouse of such applicant shall also be considered a resident of this state for purposes of this section"

Also, under the current Concealed Handgun Permit Act, an applicant for a concealed handgun permit must be a US citizen. As the act is written, a lawful permanent resident or other non-citizen lawfully present in the country could be a "resident" for purposes of the Act, but could not apply for a concealed handgun permit in Nebraska. In response to a lawsuit, the State Patrol has been ordered not to enforce the citizenship requirement.

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LB190 would address the issue raised by that court case by adding "or an alien lawfully in the United States" on page 3, lines 19-20.

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**Explanation of amendments:**

AM48 to LB190 would eliminate the requirement that an applicant for a concealed handgun permit be a citizen of the United States.

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Les Seiler, Chairperson