

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIFTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 666**

Introduced by Kintner, 2.

Read first time January 18, 2017

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to firearms; to amend section 28-1202, Reissue
- 2 Revised Statutes of Nebraska; to change provisions relating to
- 3 carrying a concealed weapon; to define a term; to harmonize
- 4 provisions; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 28-1202, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 28-1202 (1)(a) Except as otherwise provided in this section, any  
4 person who carries a weapon or weapons concealed on or about his or her  
5 person, such as a handgun, a knife, brass or iron knuckles, or any other  
6 deadly weapon, commits the offense of carrying a concealed weapon.

7 (b) It is an affirmative defense that the defendant was engaged in  
8 any lawful business, calling, or employment at the time he or she was  
9 carrying any weapon or weapons and the circumstances in which such person  
10 was placed at the time were such as to justify a prudent person in  
11 carrying the weapon or weapons for the defense of his or her person,  
12 property, or family.

13 (2) This section does not apply to a person who is the holder of a  
14 valid permit issued under the Concealed Handgun Permit Act if the  
15 concealed weapon the defendant is carrying is a handgun.

16 (3)(a) This section does not apply to the possession, carrying,  
17 transportation, shipping, or receiving of a firearm for any lawful  
18 purpose to or from any place where such firearm may be lawfully possessed  
19 or carried by a person if such firearm is unloaded and stored in a case  
20 and such person is not otherwise prohibited by state or federal law from  
21 possessing, carrying, transporting, shipping, or receiving such firearm.

22 (b) For purposes of this subsection, case means (i) a hard-sided or  
23 soft-sided box, container, or receptacle intended or designed for the  
24 purpose of storing or transporting a firearm or (ii) the firearm  
25 manufacturer's packaging.

26 (4) (3) Carrying a concealed weapon is a Class I misdemeanor.

27 (5) (4) In the case of a second or subsequent conviction under this  
28 section, carrying a concealed weapon is a Class IV felony.

29 Sec. 2. Original section 28-1202, Reissue Revised Statutes of  
30 Nebraska, is repealed.