

ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025
COMMITTEE STATEMENT
LB539

Hearing Date: Friday March 14, 2025
Committee On: Judiciary
Introducer: Hardin
One Liner: Change and eliminate provisions relating to handgun purchase requirements

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

Vote Results:

Aye:	7	Senators Bosn, DeBoer, Hallstrom, Holdcroft, Rountree, Storer, Storm
Nay:		
Absent:		
Present Not Voting:	1	Senator McKinney

Testimony:

Proponents:

Senator Brian Hardin
Kelsey Remmers
Patricia Harrold

Allie Bush
Scott Thomas
Josephine Litwinowicz

Representing:

Opening Presenter
Nebraska State Patrol
Nebraska Firearms Owners Association; Women for Gun Rights
Nebraskans Against Government Overreach
Village in Progress
Higher Power Church

Opponents:

Representing:

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 539 amends certain sections of Chapter 69 of the Nebraska Revised Statutes to eliminate provisions relating to handgun purchase requirements and to change provisions relating to criminal history record checks to avoid creation of a redundant state check system.

LB 539 amends section 69-2409.01 to provide that for criminal history record information checks relating to firearms or explosives, the Nebraska State Patrol (Patrol) shall be furnished with only such information as may be necessary for the purposes of determining whether an individual is qualified to receive a permit to carry a concealed handgun under section 69-2433, or disqualified from purchasing or possessing firearms or explosives pursuant to state or federal law. LB 539 further amends this section to provide that the information the clerks of the various courts are



required to furnish to the Department of Health and Human Services (Department) and the Patrol necessary to set up and maintain the database required by this section shall include information regarding those persons who are disqualified from purchasing or possessing firearms or explosives pursuant to state or federal law, including, but not limited to, 18 U.S.C. 992(d)(4) and (g)(4), and those who meet the definition of adjudicated as a mental defective or committed to a mental institution pursuant to 27 C.F.R 478.11.

LB 539 also amends section 69-2409.01 to provide that any person who intentionally causes the Patrol to request information pursuant to this section without reasonable belief that the named individual has submitted a written application under section 69-2430 or is otherwise subject to a criminal history record information check pursuant to law shall be guilty of a Class II misdemeanor in addition to other civil or criminal liability under state or federal law. Further, section 69-2409.01 is amended to eliminate a requirement that the Patrol and the Department file a biannual report with the Legislature.

Finally, LB 539 amends section 69-2410 to eliminate certain requirements by an importer, manufacturer, or dealer of handguns made obsolete by elimination of the state criminal history check system requirements in favor of using the National Instant Criminal Background Check System. Also, sections 69-2409, 69-2411, 69-2412, 69-2413, 69-2414, 69-2415, 69-2416, 69-2417, 69-2418, 69-2419, and 69-2423 relating to the state criminal history record check system being eliminated are outright repealed.

Explanation of amendments:

AM505 is a white copy amendment that strikes and replaces the original sections with the same amended sections, but further amends section 69-2409.01 regarding the information the clerks of various courts are mandated to furnish. Such information shall include with those persons who meet the definition of adjudicated as a mental defective or committed to a mental institution pursuant to 27 C.F.R 478.11, those individuals found not responsible be reason of insanity, found not competent to stand trial, found to lack the mental capacity to manage their own affairs, or otherwise found by a court to be not competent.

Carolyn Bosn, Chairperson

