

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 754

Introduced by Wordekemper, 15.

Read first time January 07, 2026

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to explosives; to amend section 28-1229,
2 Reissue Revised Statutes of Nebraska, and section 28-1239.01,
3 Revised Statutes Supplement, 2025; to change provisions relating to
4 permits issued by the Nebraska State Patrol for the storage, use, or
5 purchase of explosives; to change provisions relating to application
6 requirements to obtain a display permit for display fireworks from
7 the State Fire Marshal; and to repeal the original sections.
8 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 28-1229, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 28-1229 (1) The Nebraska State Patrol shall have the authority to
4 issue permits for:

5 (a) The storage of explosive materials;
6 (b) The use of explosive materials; and
7 (c) The purchase of explosive materials by business enterprises.

8 (2) The Nebraska State Patrol shall not issue a permit to store or
9 use explosive materials to any person who:

10 (a) Is under twenty-one years of age;
11 (b) Has been convicted in any court of a felony;
12 (c) Is charged with a felony;
13 (d) Is a fugitive from justice;
14 (e) Is an unlawful user of any depressant, stimulant, or narcotic
15 drug;

16 (f) Has been admitted as a patient or inmate in a public or private
17 institution for the treatment of a mental or emotional disease or
18 disorder within five years preceding the date of application;

19 (g) Has no reasonable educational, industrial, commercial,
20 agricultural, recreational, or other legitimate need for a permit to
21 store or use explosive materials;

22 (h) Has been convicted in any court of a misdemeanor crime of
23 domestic violence. This includes any misdemeanor conviction involving the
24 use or attempted use of physical force committed by a current or former
25 spouse, parent, or guardian of the victim or by a person with a similar
26 relationship with the victim;

27 (i) Is subject to a court order restraining him or her from
28 harassing, stalking, or threatening an intimate partner or child of such
29 partner; or

30 (j) Is an alien illegally in the United States.

31 (3) Upon filing of a proper application and payment of the

1 prescribed fee, and subject to the provisions of sections 28-1213 to
2 28-1239 and other applicable laws, the Nebraska State Patrol shall issue
3 to such applicant a permit to store explosive materials if:

4 (a) The applicant, including, in the case of a corporation,
5 partnership, limited liability company, or association, any individual
6 possessing, directly or indirectly, the power to direct or cause the
7 direction of the management and policies of the corporation, partnership,
8 limited liability company, or association, is not a person to whom the
9 Nebraska State Patrol is prohibited to issue a permit under subsection
10 (2) of this section;

11 (b) The applicant has not willfully violated any of the provisions
12 of sections 28-1213 to 28-1239 or of 18 U.S.C. chapter 40; and

13 (c) The applicant has a place of storage for explosive materials
14 which meets such standards of public safety, based on the class, type,
15 and quantity of explosive materials to be stored, and security against
16 theft as prescribed in rules and regulations adopted and promulgated by
17 the Nebraska State Patrol pursuant to sections 28-1213 to 28-1239 and by
18 the Secretary of the Treasury of the United States pursuant to 18 U.S.C.
19 chapter 40.

20 (4) A permit for the storage of explosive materials shall specify
21 the class, type, and quantity of explosive materials which are authorized
22 to be stored. It shall also specify the type of security required. A
23 permit for the storage of explosive materials shall be valid for a period
24 of three ~~two~~ years unless a shorter period is specified in the permit.

25 (5) Upon filing of a proper application and payment of the
26 prescribed fee, and subject to the provisions of sections 28-1213 to
27 28-1239 and other applicable laws, the Nebraska State Patrol shall issue
28 to such applicant a permit to use explosive materials if:

29 (a) The applicant is an individual to whom the Nebraska State Patrol
30 is not prohibited to issue a permit under subsection (2) of this section;

31 (b) The applicant has not willfully violated any of the provisions

1 of sections 28-1213 to 28-1239 or of 18 U.S.C. chapter 40;

2 (c) The applicant has demonstrated and certified in writing that he
3 or she is familiar with all published laws of this state and published
4 local ordinances relating to the use of explosive materials applicable at
5 the place or places he or she intends to use such explosive materials;

6 (d) The applicant has demonstrated that he or she has adequate
7 knowledge, training, and experience in the use of explosive materials of
8 the class and type for which he or she seeks a users permit and has
9 passed a qualifying examination, as prescribed by the Nebraska State
10 Patrol, concerning the use of such explosive materials; and

11 (e) The applicant has been fingerprinted and the fingerprints
12 submitted to the Nebraska State Patrol for a criminal history record
13 check. If no disqualifying record is located at the state level, the
14 fingerprints shall be forwarded by the patrol to the Identification
15 Division of the Federal Bureau of Investigation for a national criminal
16 history record check.

17 (6) A permit for the use of explosive materials shall specify the
18 class and type of explosive materials the permitholder is qualified to
19 use. It shall be applicable to the permitholder and to any individual
20 acting under his or her direct personal supervision. A permit may be
21 issued for a single use of explosive materials or, when the applicant is
22 engaged or employed in a business requiring the frequent use of explosive
23 materials, for a period of not more than three two years.

24 (7) Upon filing of a proper application and payment of the
25 prescribed fees and subject to sections 28-1213 to 28-1239 and other
26 applicable laws, the Nebraska State Patrol shall issue to a business
27 enterprise a permit to purchase explosive materials if:

28 (a) The business enterprise has a place of business in this state;

29 (b) No individual possessing, directly or indirectly, the power to
30 direct or cause the direction of the management and policies of the
31 business enterprise is a person to whom the Nebraska State Patrol is

1 prohibited to issue a permit under subsection (2) of this section;
2 (c) An authorized officer of the business enterprise certifies that
3 all explosive materials will be used on the date of purchase of such
4 materials unless such business enterprise is in possession of a valid
5 storage permit; and

6 (d) The business enterprise employs at least one employee having a
7 valid use permit issued under this section.

8 (8) A permit for a business enterprise to purchase explosive
9 materials shall specify the class and type of explosive materials which
10 are authorized to be purchased. The class and type of explosive materials
11 covered by such permit shall be the same as those specified in the use
12 permit or permits issued to an employee or employees of the business
13 enterprise. The permit may be issued for a period of up to three ~~two~~
14 years but shall become void if the business enterprise ceases to employ
15 an individual having a valid use permit issued under this section for the
16 class and type of explosive materials covered by the purchase permit of
17 the business enterprise.

18 (9) If the applicant is an individual, an application for a permit
19 issued under this section shall include the applicant's social security
20 number.

21 **Sec. 2.** Section 28-1239.01, Revised Statutes Supplement, 2025, is
22 amended to read:

23 28-1239.01 (1) No person shall conduct a public exhibition or
24 display of display fireworks without first procuring a display permit
25 from the State Fire Marshal. Such application for a display permit shall
26 be accompanied by (a) proof of a permit for the use of explosive
27 materials issued by the Nebraska State Patrol and (b) a fee of one
28 hundred dollars to be remitted to the State Treasurer for credit to the
29 State Fire Marshal Cash Fund.

30 (2) No display fireworks shall be sold or delivered by a licensed
31 distributor to any person who is not in possession of an approved display

1 permit. Sales of display fireworks to persons without an approved display
2 permit shall be subject to sections 28-1213 to 28-1239.

3 **Sec. 3.** Original section 28-1229, Reissue Revised Statutes of
4 Nebraska, and section 28-1239.01, Revised Statutes Supplement, 2025, are
5 repealed.