LEGISLATIVE BILL 975

Approved by the Governor March 24, 1986

Introduced by Remmers, 1

AN ACT relating to crimes and punishments; to amend sections 28-1215 and 28-1217, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to the possession or sale of explosive materials; and to repeal the original sections.

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

Section 1. That section 28-1215, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

28-1215. (1) Except as provided in subsection (2) of this section, any person who is ineligible to obtain a permit from the State Fire Marshal, and who shall possess or store possesses or stores explosive materials, commits the offense of unlawful possession of explosive materials in the first degree.

(2) Subsection (1) of this section shall not be applicable to a federal licensee or permittee, any person transporting explosive materials in accordance with section 28-1235 or to any person who has obtained a permit from the State Fire Marshal to store or use such explosive materials, or, in the case of a business enterprise, a permit to purchase such explosive materials.

(3) Unlawful possession of explosive materials in the first degree is a Class IV felony.

Sec. 2. That section 28-1217, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

28-1217. (1) Any person who shall knowingly and intentionally sells, transfers, issues, or gives a federal licensee or permit, or give any explosive materials to any person who does not display a valid permit issued by the State Fire Marshal authorizing the storage or use of such explosive materials, or, in the case of a business enterprise, a permit to purchase such explosive materials or a federal licensee or permit, commits the offense of unlawful sale of explosives.

(2) Unlawful sale of explosives is a Class IV felony.

Sec. 3. That original sections 28-1215 and 1604...
28-1217, Reissue Revised Statutes of Nebraska, 1943, are repealed.