

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

March 24, 1999 LB 476

located. The amendment adds a time frame to the duty on the licensee to make a report to the patrol following an incident involving a discharge of a handgun carried by the licensee that results in injury or damage to property. The green copy does not provide a time frame for making that report and the committee has imposed a forthwith requirement following the incident. The amendment provides an exception to the general requirement that the information received by the patrol in the application remain confidential. The green copy does not provide any exceptions to the confidentiality requirement. The committee amendment clarifies that the patrol may interview, on a confidential basis, persons who are mentioned in reports or complaints submitted to the patrol as a part of the application process. The committee amendment is designed to provide a date certain for the operative date of the substantive effect of the act. The green copy provides that no application shall be accepted until such time as a system of maintaining and listing of licensees and pertinent information regarding issued licenses is installed and operational. The committee amendment requires that the superintendent of law enforcement and public safety certify to the Governor that such a system is installed and is operational. Upon such certification then applications could be taken and the act would become operational. The committee amendment clarifies the operative date of the elimination of the affirmative defense to a charge of carrying a concealed weapon, which is repealed upon the operative date of the substantive provisions of the act. The affirmative defense provides that a person may make an affirmative defense to the charge of carrying a concealed weapon by asserting that he or she was engaged in any lawful business calling or employment at the time he or she was carrying any weapon or weapons, and the circumstances in which that person was placed at the time were such as to justify a prudent person in carrying the weapon or weapons for the defense of his or her person, property, or family. The bill provides that the affirmative defense will be repealed as of the operative date of the ability to obtain a license to carry a concealed handgun. The green copy provided that the affirmative defense would be repealed as of the time of application for license are accepted. The committee amendment provides that the affirmative defense will be repealed as of 90 days after certification by the superintendent that the information system is installed and operating. Absent the change, there would have