

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 340

Introduced by Brasch, 16.

Read first time January 15, 2015

Committee:

1 A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend
2 section 69-2429, Reissue Revised Statutes of Nebraska, and section
3 69-2427, Revised Statutes Cumulative Supplement, 2014; to define a
4 term; to provide signage requirements and duties for the Nebraska
5 State Patrol; to harmonize provisions; and to repeal the original
6 sections.

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

1 Section 1. Section 69-2427, Revised Statutes Cumulative Supplement,
2 2014, is amended to read:

3 69-2427 Sections 69-2427 to 69-2449 and section 3 of this act shall
4 be known and may be cited as the Concealed Handgun Permit Act.

5 Sec. 2. Section 69-2429, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 69-2429 For purposes of the Concealed Handgun Permit Act:

8 (1) Concealed handgun means the handgun is totally hidden from view.
9 If any part of the handgun is capable of being seen, it is not a
10 concealed handgun;

11 (2) Emergency services personnel means a volunteer or paid
12 firefighter or rescue squad member or a person licensed to provide
13 emergency medical services pursuant to the Emergency Medical Services
14 Practice Act;

15 (3) Handgun means any firearm with a barrel less than sixteen inches
16 in length or any firearm designed to be held and fired by the use of a
17 single hand;

18 (4) Peace officer means any town marshal, chief of police or local
19 police officer, sheriff or deputy sheriff, the Superintendent of Law
20 Enforcement and Public Safety, any officer of the Nebraska State Patrol,
21 any member of the National Guard on active service by direction of the
22 Governor during periods of emergency or civil disorder, any Game and
23 Parks Commission conservation officer, and all other persons with similar
24 authority to make arrests;

25 (5) Permitholder means an individual holding a current and valid
26 permit to carry a concealed handgun issued pursuant to the Concealed
27 Handgun Permit Act;~~and~~

28 (6) Posted conspicuous notice means a clearly visible sign posted at
29 each entrance to a place or premises open to the public. The sign shall
30 comply with section 3 of this act; and

31 (7 6) Proof of training means an original document or certified copy

1 of a document, supplied by an applicant, that certifies that he or she
2 either:

3 (a) Within the previous three years, has successfully completed a
4 handgun training and safety course approved by the Nebraska State Patrol
5 pursuant to section 69-2432; or

6 (b) Is a member of the active or reserve armed forces of the United
7 States or a member of the National Guard and has had handgun training
8 within the previous three years which meets the minimum safety and
9 training requirements of section 69-2432.

10 Sec. 3. (1) The Nebraska State Patrol shall design a standardized
11 sign for use by any person, entity, or employer in control of property
12 prohibiting a permitholder from carrying a concealed handgun in or on the
13 place or premises.

14 (2) The sign:

15 (a) Shall be at least five inches tall and three and one-half inches
16 wide;

17 (b) Shall have a white background containing a two inch red circle
18 with a slash covering an image of a black handgun;

19 (c) Shall use contrasting black and red font and include the
20 following text: NOTICE. Carrying a concealed handgun by a permitholder is
21 PROHIBITED in or on this place or premises by the controllers of this
22 property. Posted pursuant to Nebraska Revised Statutes section 69-2441;

23 (d) Shall be posted at each entrance to the place or premises
24 between forty-eight inches and sixty-six inches above the floor or
25 ground;

26 (e) Shall, if the place or premises is a building, be posted (i)
27 either on the door of each entrance to the place or premises or within
28 twelve inches on either side of the doorway of each entrance or (ii) on
29 every door or within twelve inches on both sides of every doorway with
30 double doors along the width of the entrance, if the entrance has
31 multiple doorways;

1 (f) Shall, if the place or premises is not a building, be posted
2 within twenty-four inches on either side of each designated motor
3 vehicle, bicycle, or pedestrian entrance to the place or premises; and

4 (g) Shall not be obstructed or altered in any way and, if the sign
5 becomes illegible for any reason, be immediately replaced with a legible
6 sign.

7 Sec. 4. Original section 69-2429, Reissue Revised Statutes of
8 Nebraska, and section 69-2427, Revised Statutes Cumulative Supplement,
9 2014, are repealed.