

AMENDMENTS TO LB 491

Introduced by Judiciary

1 1. Insert the following new sections:

2 Section 1. Section 69-2436, Revised Statutes Cumulative
3 Supplement, 2006, is amended to read:

4 69-2436 (1) A permit to carry a concealed handgun is
5 valid throughout the state for a period of five years after the
6 date of issuance. The fee for issuing a permit is one hundred
7 dollars.

8 (2) The Nebraska State Patrol shall renew a person's
9 permit to carry a concealed handgun for a renewal period of five
10 years, subject to continuing compliance with the requirements of
11 section 69-2433. The renewal fee is fifty dollars, and renewal may
12 be applied for up to four months before expiration of a permit to
13 carry a concealed handgun.

14 (3) The applicant shall submit the fee with the
15 application to the Nebraska State Patrol. The fee shall be remitted
16 to the State Treasurer for credit to the Public Safety Nebraska
17 State Patrol Cash Fund.

18 Sec. 2. Section 69-2439, Revised Statutes Cumulative
19 Supplement, 2006, is amended to read:

20 69-2439 (1) ~~Any~~ A peace officer having shall bring an
21 application for revocation of the permit to be prosecuted as
22 provided in subsection (2) of this section if he or she has
23 probable cause to believe that a permitholder;

1 (a) ~~Is is~~ no longer in compliance with one or more
2 requirements of section 69-2433; ~~shall bring an application for~~
3 ~~revocation of the permit to be prosecuted as provided in subsection~~
4 ~~(2) of this section.~~

5 (b) Is in possession of a concealed handgun while
6 consuming alcohol or in a location prohibited by section 69-2441;

7 (c) Has failed to report an incident pursuant to section
8 69-2442;

9 (d) Is not in possession of his or her permit and other
10 identification while carrying a concealed handgun as required by
11 subsection (1) of section 69-2440;

12 (e) Has failed to immediately inform a peace officer or
13 emergency services personnel that he or she is carrying a concealed
14 handgun as required by subsection (2) of section 69-2440; or

15 (f) Has failed to submit to an order from a peace officer
16 or emergency services personnel to secure a handgun pursuant to
17 subsection (3) of section 69-2440.

18 (2) It is the duty of the county attorney or his or
19 her deputy of the county in which such permitholder resides
20 to prosecute a case for the revocation of a permit to carry
21 a concealed handgun brought pursuant to subsection (1) of this
22 section. In case the county attorney refuses or is unable to
23 prosecute the case, the duty to prosecute shall be upon the
24 Attorney General or his or her assistant.

25 (3) The case shall be prosecuted as a civil case, and
26 the permit shall be revoked upon a showing by a preponderance
27 of the evidence that the permitholder does not meet one or more

1 of the requirements of section 69-2433 or has violated any of
2 the provisions of the Concealed Handgun Permit Act specified in
3 subsection (1) of this section.

4 (4) A person who has his or her permit revoked under
5 this section may be fined up to one thousand dollars and shall
6 be charged with the costs of the prosecution. The money collected
7 under this subsection as an administrative fine shall be remitted
8 to the State Treasurer for distribution in accordance with Article
9 VII, section 5, of the Constitution of Nebraska.

10 2. On page 2, line 10, after the stricken comma insert
11 "or"; in line 11 reinstate the stricken "semiprofessional" and
12 strike "or"; in line 14 strike "private or public" and insert
13 "public, private, denominational, or parochial"; in line 15 after
14 the last semicolon insert "hospital,"; in line 16 after "room"
15 insert an underscored comma; and strike beginning with "that" in
16 line 18 through the semicolon in line 19, show as stricken, and
17 insert an underscored semicolon.

18 3. On page 4, strike lines 19 through 21; and in line
19 22 after "sections" insert "69-2436, 69-2439," and after "69-2441"
20 insert a comma.

21 4. Renumber the remaining sections accordingly.