

LEGISLATURE OF NEBRASKA

ONE HUNDRED THIRD LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 857

Introduced by Bloomfield, 17; Avery, 28; Bolz, 29; Brasch, 16; Carlson, 38; Christensen, 44; Coash, 27; Crawford, 45; Davis, 43; Garrett, 3; Gloor, 35; Hadley, 37; Hansen, 42; Harms, 48; Janssen, 15; Johnson, 23; Karpisek, 32; Kintner, 2; Kolowski, 31; Krist, 10; Larson, 40; Lathrop, 12; Lautenbaugh, 18; McGill, 26; Mello, 5; Murante, 49; Nordquist, 7; Pirsch, 4; Scheer, 19; Schilz, 47; Schumacher, 22; Seiler, 33; Smith, 14; Sullivan, 41; Wallman, 30; Watermeier, 1.

Read first time January 13, 2014

Committee: Judiciary

A BILL

1 FOR AN ACT relating to the Concealed Handgun Permit Act; to amend
2 section 69-2433, Revised Statutes Cumulative Supplement,
3 2012; to change application provisions regarding members
4 of the United States Armed Forces to include spouses of
5 such members; and to repeal the original section.

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

1 Section 1. Section 69-2433, Revised Statutes Cumulative
2 Supplement, 2012, is amended to read:

3 69-2433 An applicant shall:

4 (1) Be at least twenty-one years of age;

5 (2) Not be prohibited from purchasing or possessing a
6 handgun by 18 U.S.C. 922, as such section existed on January 1, 2005;

7 (3) Possess the same powers of eyesight as required under
8 section 60-4,118 for a Class O operator's license. If an applicant
9 does not possess a current Nebraska motor vehicle operator's license,
10 the applicant may present a current optometrist's or
11 ophthalmologist's statement certifying the vision reading obtained
12 when testing the applicant. If such certified vision reading meets
13 the vision requirements prescribed by section 60-4,118 for a Class O
14 operator's license, the vision requirements of this subdivision shall
15 have been met;

16 (4) Not have been convicted of a felony under the laws of
17 this state or under the laws of any other jurisdiction;

18 (5) Not have been convicted of a misdemeanor crime of
19 violence under the laws of this state or under the laws of any other
20 jurisdiction within the ten years immediately preceding the date of
21 application;

22 (6) Not have been found in the previous ten years to be a
23 mentally ill and dangerous person under the Nebraska Mental Health
24 Commitment Act or a similar law of another jurisdiction or not be
25 currently adjudged mentally incompetent;

1 (7)(a) Have been a resident of this state for at least
2 one hundred eighty days. For purposes of this section, resident does
3 not include an applicant who maintains a residence in another state
4 and claims that residence for voting or tax purposes except as
5 provided in subdivision (b) or (c) of this subdivision;

6 (b) If an applicant is a member of the United States
7 Armed Forces, such applicant shall be considered a resident of this
8 state for purposes of this section after he or she has been stationed
9 at a military installation in this state pursuant to permanent duty
10 station orders even though he or she maintains a residence in another
11 state and claims that residence for voting or tax purposes. The
12 spouse of such applicant shall also be considered a resident of this
13 state for purposes of this section; or

14 (c) If an applicant is a new Nebraska resident and
15 possesses a valid permit to carry a concealed handgun issued by his
16 or her previous state of residence that is recognized by this state
17 pursuant to section 69-2448, such applicant shall be considered a
18 resident of this state for purposes of this section;

19 (8) Not have had a conviction of any law of this state
20 relating to firearms, unlawful use of a weapon, or controlled
21 substances or of any similar laws of another jurisdiction within the
22 ten years preceding the date of application. This subdivision does
23 not apply to any conviction under Chapter 37 or under any similar law
24 of another jurisdiction, except for a conviction under section
25 37-509, 37-513, or 37-522 or under any similar law of another

1 jurisdiction;

2 (9) Not be on parole, probation, house arrest, or work
3 release;

4 (10) Be a citizen of the United States; and

5 (11) Provide proof of training.

6 Sec. 2. Original section 69-2433, Revised Statutes
7 Cumulative Supplement, 2012, is repealed.