

One Hundred Third Legislature - First Session - 2013

Introducer's Statement of Intent

LB352

Chairperson: Senator Brad Ashford

Committee: Judiciary

Date of Hearing: March 20, 2013

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Currently, Section 69-2441 provides owners and controllers of property the authority to prohibit Concealed Handgun Permit holders from carrying a concealed handgun on their premises. This is either accomplished by asking the permitholder to remove from the premises their concealed handgun, or by posting a conspicuous notice that carrying a concealed handgun is not allowed on the premises.

The problem is that "conspicuous notice" is not defined in statute. Because of the lack of definition, there is no uniformity in the posting of such signs. This is a problem for all parties involved, including law enforcement, which would have to use their own judgment to define what made a sign conspicuous.

Legislative Bill 352 would amend the Concealed Handgun Permit Act to provide for uniform signs and placement of such signs when a property owner chooses to prohibit a permitholder from carrying a concealed handgun on his or her property as authorized in the Concealed Handgun Permit Act.

The bill defines "posted conspicuous notice" to clarify the term, and requires the Nebraska State Patrol to design a sign meeting all the specifications in LB 352. Any owners or controllers of property seeking to exercise their current right to prohibit a permitholder from carrying on their premises will be required to use such sign designed by the Nebraska State Patrol, and follow all requirements in the bill as to where the sign should be placed, to be considered a posted place under the law.

LB 352 would codify much of what the Nebraska State Patrol already recommends in their rules and regulations.

Principal Introducer: _____

Senator Mark Christensen