

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 352

Introduced by Christensen, 44.

Read first time January 18, 2013

Committee:

A BILL

1 FOR AN ACT relating to the Concealed Handgun Permit Act; to amend
2 section 69-2429, Reissue Revised Statutes of Nebraska,
3 and section 69-2427, Revised Statutes Cumulative
4 Supplement, 2012; to define a term; to provide signage
5 requirements and duties for the Nebraska State Patrol; to
6 harmonize provisions; and to repeal the original
7 sections.

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

1 Section 1. Section 69-2427, Revised Statutes Cumulative
2 Supplement, 2012, is amended to read:

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

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

8 69-2429 For purposes of the Concealed Handgun Permit Act:

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

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

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

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

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

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

7 ~~(6)-(7)~~ Proof of training means an original document or
8 certified copy of a document, supplied by an applicant, that
9 certifies that he or she either:

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

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

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

21 (2) The sign:

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

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

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

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

9 (e) Shall, if the place or premises is a building, be
10 posted (i) either on the door of each entrance to the place or
11 premises or within twelve inches on either side of the doorway of
12 each entrance or (ii) on every door or within twelve inches on both
13 sides of every doorway with double doors along the width of the
14 entrance, if the entrance has multiple doorways;

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

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

22 Sec. 4. Original section 69-2429, Reissue Revised
23 Statutes of Nebraska, and section 69-2427, Revised Statutes
24 Cumulative Supplement, 2012, are repealed.