

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 603

Introduced by Bloomfield, 17.

Read first time January 21, 2015

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to firearms; to amend section 69-2404, Reissue
- 2 Revised Statutes of Nebraska, and section 69-2402, Revised Statutes
- 3 Cumulative Supplement, 2014; to define terms; to provide for the
- 4 processing and certification of federal firearms forms as
- 5 prescribed; and to repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 69-2402, Revised Statutes Cumulative Supplement,
2 2014, is amended to read:

3 69-2402 For purposes of sections 69-2401 to 69-2425:

4 (1) Antique handgun or pistol means any handgun or pistol, including
5 those with a matchlock, flintlock, percussion cap, or similar type of
6 ignition system, manufactured in or before 1898 and any replica of such a
7 handgun or pistol if such replica (a) is not designed or redesigned for
8 using rimfire or conventional centerfire fixed ammunition or (b) uses
9 rimfire or conventional centerfire fixed ammunition which is no longer
10 manufactured in the United States and which is not readily available in
11 the ordinary channels of commercial trade;

12 (2) Certification means the participation and assent of a chief law
13 enforcement officer necessary under federal law for the approval of an
14 application to make or transfer a firearm;

15 (3) Chief law enforcement officer means any official whom the United
16 States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and
17 Explosives, or any successor agency, identifies by rule, regulation, or
18 otherwise, as eligible to provide any required certification for the
19 making or transfer of a firearm;

20 (4 2) Criminal history record check includes a check of the criminal
21 history records of the Nebraska State Patrol and a check of the Federal
22 Bureau of Investigation's National Instant Criminal Background Check
23 System;

24 (5 3) Firearm-related disability means a person is not permitted to
25 (a) purchase, possess, ship, transport, or receive a firearm under either
26 state or federal law, (b) obtain a certificate to purchase, lease, rent,
27 or receive transfer of a handgun under section 69-2404, or (c) obtain a
28 permit to carry a concealed handgun under the Concealed Handgun Permit
29 Act; and

30 (6 4) Handgun means any firearm with a barrel less than sixteen
31 inches in length or any firearm designed to be held and fired by the use

1 of a single hand.

2 Sec. 2. Section 69-2404, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 69-2404 (1) Any person desiring to purchase, lease, rent, or
5 receive transfer of a handgun shall apply with the chief of police or
6 sheriff of the applicant's place of residence for a certificate. The
7 application may be made in person or by mail. The application form and
8 certificate shall be made on forms approved by the Superintendent of Law
9 Enforcement and Public Safety. The application shall include the
10 applicant's full name, address, date of birth, and country of
11 citizenship. If the applicant is not a United States citizen, the
12 application shall include the applicant's place of birth and his or her
13 alien or admission number. If the application is made in person, the
14 applicant shall also present a current Nebraska motor vehicle operator's
15 license, state identification card, or military identification card, or
16 if the application is made by mail, the application form shall describe
17 the license or card used for identification and be notarized by a notary
18 public who has verified the identification of the applicant through such
19 a license or card. An applicant shall receive a certificate if he or she
20 is twenty-one years of age or older and is not prohibited from purchasing
21 or possessing a handgun by 18 U.S.C. 922. A fee of five dollars shall be
22 charged for each application for a certificate to cover the cost of a
23 criminal history record check.

24 (2)(a) A resident of this state may submit to the chief law
25 enforcement officer of the county in which the resident resides, or to
26 the chief law enforcement officer of any county adjacent to the county in
27 which the resident resides, any federal firearm form that requires law
28 enforcement certification by a chief law enforcement officer.

29 (b) The chief law enforcement officer shall accept and process the
30 certification of the federal firearm form for a fee of five dollars in
31 the same manner as an application under subsection (1) of this section,

1 which shall include a criminal history record check.

2 (c) If a resident of this state submits one or more federal firearm
3 forms, the chief law enforcement officer shall charge the resident no
4 more than the fee described in subdivision (2)(b) of this section,
5 without regard to how many federal firearm forms are submitted at the
6 same time.

7 Sec. 3. Original section 69-2404, Reissue Revised Statutes of
8 Nebraska, and section 69-2402, Revised Statutes Cumulative Supplement,
9 2014, are repealed.