

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 635

Introduced by Garrett, 3; Bloomfield, 17; Schnoor, 15.

Read first time January 21, 2015

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend
- 2 section 69-2441, Reissue Revised Statutes of Nebraska; to change a
- 3 provision relating to where a permitholder may carry a concealed
- 4 handgun; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 69-2441, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 69-2441 (1)(a) A permitholder may carry a concealed handgun anywhere
4 in Nebraska, except any: Police, sheriff, or Nebraska State Patrol
5 station or office; detention facility, prison, or jail; courtroom or
6 building which contains a courtroom; polling place during a bona fide
7 election; meeting of the governing body of a county, public school
8 district, municipality, or other political subdivision; meeting of the
9 Legislature or a committee of the Legislature; financial institution;
10 professional or semiprofessional athletic event; building, grounds,
11 vehicle, or sponsored activity or athletic event of any public, private,
12 denominational, or parochial elementary, vocational, or secondary school,
13 a private postsecondary career school as defined in section 85-1603, a
14 community college, or a public or private college, junior college, or
15 university; place of worship; hospital, emergency room, or trauma center;
16 political rally or fundraiser; ~~establishment having a license issued~~
17 ~~under the Nebraska Liquor Control Act that derives over one-half of its~~
18 ~~total income from the sale of alcoholic liquor;~~ place where the
19 possession or carrying of a firearm is prohibited by state or federal
20 law; a place or premises where the person, persons, entity, or entities
21 in control of the property or employer in control of the property has
22 prohibited permitholders from carrying concealed handguns into or onto
23 the place or premises; or into or onto any other place or premises where
24 handguns are prohibited by state law.

25 (b) A financial institution may authorize its security personnel to
26 carry concealed handguns in the financial institution while on duty so
27 long as each member of the security personnel, as authorized, is in
28 compliance with the Concealed Handgun Permit Act and possesses a permit
29 to carry a concealed handgun issued pursuant to the act.

30 (c) A place of worship may authorize its security personnel to carry
31 concealed handguns on its property so long as each member of the security

1 personnel, as authorized, is in compliance with the Concealed Handgun
2 Permit Act and possesses a permit to carry a concealed handgun issued
3 pursuant to the act and written notice is given to the congregation and,
4 if the property is leased, the carrying of concealed handguns on the
5 property does not violate the terms of any real property lease agreement
6 between the place of worship and the lessor.

7 (2) If a person, persons, entity, or entities in control of the
8 property or an employer in control of the property prohibits a
9 permitholder from carrying a concealed handgun into or onto the place or
10 premises and such place or premises are open to the public, a
11 permitholder does not violate this section unless the person, persons,
12 entity, or entities in control of the property or employer in control of
13 the property has posted conspicuous notice that carrying a concealed
14 handgun is prohibited in or on the place or premises or has made a
15 request, directly or through an authorized representative or management
16 personnel, that the permitholder remove the concealed handgun from the
17 place or premises.

18 (3) A permitholder carrying a concealed handgun in a vehicle or on
19 his or her person while riding in or on a vehicle into or onto any
20 parking area, which is open to the public, used by any location listed in
21 subdivision (1)(a) of this section, does not violate this section if,
22 prior to exiting the vehicle, the handgun is locked inside the glove box,
23 trunk, or other compartment of the vehicle, a storage box securely
24 attached to the vehicle, or, if the vehicle is a motorcycle, a hardened
25 compartment securely attached to the motorcycle. This subsection does not
26 apply to any parking area used by such location when the carrying of a
27 concealed handgun into or onto such parking area is prohibited by federal
28 law.

29 (4) An employer may prohibit employees or other persons who are
30 permitholders from carrying concealed handguns in vehicles owned by the
31 employer.

1 (5) A permitholder shall not carry a concealed handgun while he or
2 she is consuming alcohol or while the permitholder has remaining in his
3 or her blood, urine, or breath any previously consumed alcohol or any
4 controlled substance as defined in section 28-401. A permitholder does
5 not violate this subsection if the controlled substance in his or her
6 blood, urine, or breath was lawfully obtained and was taken in
7 therapeutically prescribed amounts.

8 Sec. 2. Original section 69-2441, Reissue Revised Statutes of
9 Nebraska, is repealed.