

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 190

Introduced by Bloomfield, 17; Bolz, 29; Brasch, 16; Coash, 27; Crawford, 45; Ebke, 32; Friesen, 34; Garrett, 3; Gloor, 35; Groene, 42; Harr, 8; Howard, 9; Hughes, 44; Johnson, 23; Kintner, 2; Kolterman, 24; Krist, 10; Larson, 40; Lindstrom, 18; McCollister, 20; McCoy, 39; Murante, 49; Schilz, 47; Schumacher, 22; Sullivan, 41.

Read first time January 12, 2015

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend
- 2 section 69-2433, Revised Statutes Cumulative Supplement, 2014; to
- 3 change application provisions regarding members of the United States
- 4 Armed Forces to include spouses of such members; and to repeal the
- 5 original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 69-2433, Revised Statutes Cumulative Supplement,
2 2014, 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 handgun by 18
6 U.S.C. 922, as such section existed on January 1, 2005;

7 (3) Possess the same powers of eyesight as required under section
8 60-4,118 for a Class 0 operator's license. If an applicant does not
9 possess a current Nebraska motor vehicle operator's license, the
10 applicant may present a current optometrist's or ophthalmologist's
11 statement certifying the vision reading obtained when testing the
12 applicant. If such certified vision reading meets the vision requirements
13 prescribed by section 60-4,118 for a Class 0 operator's license, the
14 vision requirements of this subdivision shall have been met;

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

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

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

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

29 (b) If an applicant is a member of the United States Armed Forces,
30 such applicant shall be considered a resident of this state for purposes
31 of this section after he or she has been stationed at a military

1 installation in this state pursuant to permanent duty station orders even
2 though he or she maintains a residence in another state and claims that
3 residence for voting or tax purposes. The spouse of such applicant shall
4 also be considered a resident of this state for purposes of this section;
5 or

6 (c) If an applicant is a new Nebraska resident and possesses a valid
7 permit to carry a concealed handgun issued by his or her previous state
8 of residence that is recognized by this state pursuant to section
9 69-2448, such applicant shall be considered a resident of this state for
10 purposes of this section;

11 (8) Not have had a conviction of any law of this state relating to
12 firearms, unlawful use of a weapon, or controlled substances or of any
13 similar laws of another jurisdiction within the ten years preceding the
14 date of application. This subdivision does not apply to any conviction
15 under Chapter 37 or under any similar law of another jurisdiction, except
16 for a conviction under section 37-509, 37-513, or 37-522 or under any
17 similar law of another jurisdiction;

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

19 (10) Be a citizen of the United States or an alien lawfully in the
20 United States; and

21 (11) Provide proof of training.

22 Sec. 2. Original section 69-2433, Revised Statutes Cumulative
23 Supplement, 2014, is repealed.