



Hundredth Legislature - Second Session - 2008
Introducer's Statement of Intent
LB 958

Chairperson: Brad Ashford
Committee: Judiciary
Date of Hearing: January 25, 2008

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

LB 958 is an act to reduce gun violence and the number of firearms in the unlawful possession of minors. Among its requirements are the following:

- Individuals must report a lost or stolen firearm to local law enforcement within 48 hrs after discovery of loss or theft.

LB 958 would prevent use of stolen firearms or their accidental discharge by,

- Beginning July 1, 2008, all retailers of firearms must include a trigger or gun lock with each sale of a firearm.
- A retailer or employee violating this Section is guilty of a Class IV Misdemeanor

LB 958 would require that the use of a firearm to commit a felony would carry a minimum 5 year prison sentence in Nebraska.

LB 958 would also establish a twelve member Gun Violence Commission.

- The commission shall prepare a written report recommending specific administrative, statutory, and regulatory changes designed to reduce gun trafficking, illegal gun sales, and any other factors that lead to gun violence.
- Report shall also include a recommendation as to whether the commission's solutions require additional funding as well as how to target funding in such a way as to accelerate the interdiction of illegal gun activity.
- The commission shall deliver its report to the Legislature on December 30, 2008 and be dissolved on December 31, 2008.

LB 958 requires that when weapons are found in the possession of a person who is under eighteen years of age and is not authorized by state and or federal law to possess a firearm, or a weapon is discovered during the course of a criminal investigation, law enforcement shall;

- Utilize best available information, including gun tracing to determine how and from where the minor gained possession of the firearm,
- Report the information gathered in determining how the minor came into possession of the firearm to the state patrol.

LB 958 requires the Nebraska State Patrol to conduct a public awareness campaign designed to decrease illegal firearm possession by juveniles.

- The awareness campaign will include the creation of a hotline that citizens can use to report suspected possession of a firearm by a juvenile. Calls to the hotline can be placed anonymously.
- The State Patrol will conduct awareness activities designed to inform the public about the dangers of leaving loaded firearms within the reach of children and of improperly storing weapons and ammunition when not in use.

LB 958 provides for a mental health exclusion to a gun permit.

- An applicant shall be denied a certificate if he/she was found in the previous 10yrs to be a mentally ill and dangerous person under the Neb. Mental Health Commitment Act or a similar law of another jurisdiction or is currently adjudged mentally incompetent. (Same language is used under Concealed Carry Law (Neb. Rev. Stat. 69-2433).
- The bill also changes the length of time that Neb. HHS is required to retain mental health information under section 69-2409.01 from the current 5 years, to 10 years.

Principal Introducer:

Senator Brad Ashford