

AMENDMENTS TO LB 293

Introduced by Kintner

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 69-2404, Reissue Revised Statutes of
4 Nebraska, is amended to read:

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

1 by 18 U.S.C. 922. A fee of five dollars shall be charged for
2 each application for a certificate to cover the cost of a criminal
3 history record check.

4 (2) Information relating to an application form or
5 certificate or any listing of all applicants or certificates
6 maintained by a chief of police or sheriff pursuant to this section
7 or provided to the Nebraska State Patrol, or any other state or
8 local law enforcement agency, is confidential and shall not be
9 considered a public record within the meaning of sections 84-712 to
10 84-712.09. Such information shall be available upon request to all
11 federal, state, and local law enforcement agencies.

12 Sec. 2. Section 69-2405, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 69-2405 (1) Upon the receipt of an application for
15 a certificate, the chief of police or sheriff shall issue a
16 certificate or deny a certificate and furnish the applicant the
17 specific reasons for the denial in writing. The chief of police
18 or sheriff shall be permitted up to three days in which to
19 conduct an investigation to determine whether the applicant is
20 prohibited by law from purchasing or possessing a handgun. If
21 the certificate or denial is mailed to the applicant, it shall
22 be mailed to the applicant's address by first-class mail within
23 the three-day period. If it is determined that the purchase or
24 possession of a handgun by the applicant would be in violation
25 of applicable federal, state, or local law, the chief of police
26 or sheriff shall deny the certificate. In computing the three-day
27 period, the day of receipt of the application shall not be included

1 and the last day of the three-day period shall be included. The
2 three-day period shall expire at 11:59 p.m. of the third day
3 unless it is a Saturday, Sunday, or legal holiday in which event
4 the period shall run until 11:59 p.m. of the next day which is
5 not a Saturday, Sunday, or legal holiday. No later than the end
6 of the three-day period the chief of police or sheriff shall
7 issue or deny such certificate and, if the certificate is denied,
8 furnish the applicant the specific reasons for denial in writing.
9 No civil liability shall arise to any law enforcement agency if
10 such law enforcement agency complies with sections 69-2401, 69-2403
11 to 69-2408, and 69-2409.01.

12 (2) Information relating to a certificate or denial or
13 any listing of all certificates or denials issued by a chief of
14 police or sheriff pursuant to this section or provided to the
15 Nebraska State Patrol, or any other state or local law enforcement
16 agency, is confidential and shall not be considered a public
17 record within the meaning of sections 84-712 to 84-712.09. Such
18 information shall be available upon request to all federal, state,
19 and local law enforcement agencies.

20 Sec. 3. Original sections 69-2404 and 69-2405, Reissue
21 Revised Statutes of Nebraska, are repealed.