

LEGISLATIVE BILL 975

Approved by the Governor March 24, 1986

Introduced by Remmers, 1

AN ACT relating to crimes and punishments; to amend sections 28-1215 and 28-1217, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to the possession or sale of explosive materials; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 28-1215, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

28-1215. (1) Except as provided in subsection (2) of this section, any person who is ineligible to obtain a permit from the State Fire Marshal, ~~and who shall possess or store~~ possesses or stores explosive materials, commits the offense of unlawful possession of explosive materials in the first degree.

(2) Subsection (1) of this section shall not be applicable to a ~~federal licensee or permittee~~, any person transporting explosive materials in accordance with section 28-1235 or to any person who has obtained a permit from the State Fire Marshal to store or use such explosive materials, or, in the case of a business enterprise, a permit to purchase such explosive materials.

(3) Unlawful possession of explosive materials in the first degree is a Class IV felony.

Sec. 2. That section 28-1217, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

28-1217. (1) Any person who ~~shall knowingly and intentionally sells, transfers, issues, or gives~~ sell, transfer, issue, or give any explosive materials to any person who does not display a valid permit issued by the State Fire Marshal authorizing the storage or use of such explosive materials, or, in the case of a business enterprise, a permit to purchase such explosive materials ~~or a federal license or permit~~, commits the offense of unlawful sale of explosives.

(2) Unlawful sale of explosives is a Class IV felony.

Sec. 3. That original sections 28-1215 and

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28-1217, Reissue Revised Statutes of Nebraska, 1943, are repealed.