

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 516

Introduced by Christensen, 44.

Read first time January 18, 2011

Committee: Judiciary

A BILL

1 FOR AN ACT relating to the Concealed Handgun Permit Act; to amend
2 section 69-2441, Reissue Revised Statutes of Nebraska; to
3 authorize the carrying of concealed handguns in
4 educational institutions by security personnel,
5 administrators, or teaching staff as prescribed; and to
6 repeal the original section.

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

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

3 69-2441 (1)(a) A permitholder may carry a concealed
4 handgun anywhere in Nebraska, except any:

5 (i) Police, sheriff, or Nebraska State Patrol station or
6 office;

7 (ii) Detention ~~detention~~ facility, prison, or jail;

8 (iii) Courtroom ~~courtroom~~ or building which contains a
9 courtroom;

10 (iv) Polling ~~polling~~ place during a bona fide election;

11 (v) Meeting ~~meeting~~ of the governing body of a county,
12 public school district, municipality, or other political subdivision;

13 (vi) Meeting ~~meeting~~ of the Legislature or a committee of
14 the Legislature;

15 (vii) Financial ~~financial~~ institution;

16 (viii) Professional ~~professional~~ or semiprofessional
17 athletic event;

18 (ix) Building, ~~building,~~ grounds, vehicle, or sponsored
19 activity or athletic event of any public, private, denominational, or
20 parochial elementary, vocational, or secondary school, a private
21 postsecondary career school as defined in section 85-1603, a
22 community college, or a public or private college, junior college, or
23 university;

24 (x) Place ~~place~~ of worship;

25 (xi) Hospital, ~~hospital,~~ emergency room, or trauma

1 center;

2 (xii) Political ~~political~~ rally or fundraiser;

3 (xiii) Establishment ~~establishment~~—having a license
4 issued under the Nebraska Liquor Control Act that derives over one-
5 half of its total income from the sale of alcoholic liquor;

6 (xiv) Place ~~place~~—where the possession or carrying of a
7 firearm is prohibited by state ~~or federal~~ law;

8 (xv) A ~~a~~—place or premises where the person, persons,
9 entity, or entities in control of the property or employer in control
10 of the property has prohibited permitholders from carrying concealed
11 handguns into or onto the place or premises; ~~or into~~

12 (xvi) Into or onto any other place or premises where
13 handguns are prohibited by state law; or -

14 (xvii) Federal property where the possession or carrying
15 of a firearm is prohibited by federal law.

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

22 (c) A place of worship may authorize its security
23 personnel to carry concealed handguns on its property so long as each
24 member of the security personnel, as authorized, is in compliance
25 with the Concealed Handgun Permit Act and possesses a permit to carry

1 a concealed handgun issued pursuant to the act and written notice is
2 given to the congregation and, if the property is leased, the
3 carrying of concealed handguns on the property does not violate the
4 terms of any real property lease agreement between the place of
5 worship and the lessor.

6 (d)(i) Any public educational institution listed in
7 subdivision (1)(a)(ix) of this subsection may, upon a two-thirds vote
8 of its governing body, authorize its security personnel,
9 administrators, or teaching staff to carry concealed handguns in or
10 on its property so long as such security personnel, administrators,
11 or teaching staff seeking to carry a concealed handgun, as
12 authorized, are in compliance with the Concealed Handgun Permit Act
13 and possess a permit to carry a concealed handgun issued pursuant to
14 the act. Written notice shall be given to all students and parents or
15 guardians of each student, if applicable, of such a concealed handgun
16 policy.

17 (ii) Any private educational institution listed in
18 subdivision (1)(a)(ix) of this subsection may, upon a two-thirds vote
19 of its governing body, authorize its security personnel,
20 administrators, or teaching staff to carry concealed handguns in or
21 on its property so long as such security personnel, administrators,
22 or teaching staff seeking to carry a concealed handgun, as
23 authorized, are in compliance with the Concealed Handgun Permit Act
24 and possess a permit to carry a concealed handgun issued pursuant to
25 the act. Written notice shall be given to all students and parents or

1 guardians of each student, if applicable, of such concealed handgun
2 policy. If the property is leased, the carrying of concealed handguns
3 on the property shall not be a violation of the terms of any real
4 property lease agreement between the private educational institution
5 and the lessor.

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

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

1 used by such location when the carrying of a concealed handgun into
2 or onto such parking area is prohibited by federal law.

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

6 (5) A permitholder shall not carry a concealed handgun
7 while he or she is consuming alcohol or while the permitholder has
8 remaining in his or her blood, urine, or breath any previously
9 consumed alcohol or any controlled substance as defined in section
10 28-401. A permitholder does not violate this subsection if the
11 controlled substance in his or her blood, urine, or breath was
12 lawfully obtained and was taken in therapeutically prescribed
13 amounts.

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