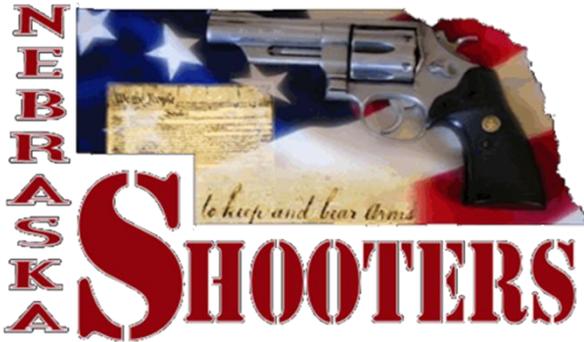


# Nebraska Concealed Handgun Training





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## **Acknowledgements**

The primary contributor to the content of this lesson plan is the National Rifle Association. Many of the concepts and philosophies herein were derived from their years of refinement to the techniques of education of firearm owners safely and effectively.

“Success has many parents, while failure is soon orphaned.”

We have grown to over 30 instructors all across Nebraska. Some of our instructors teach a couple of classes a year and others teach nearly every week, but they have all made a commitment to teach with the Nebraska Shooters philosophies. They have gone through our apprenticeship program as well as maintaining their credentials and qualifications by seeking further knowledge about firearm training on a regular basis.

Everyone who had a part in the assembly of this text and teaching this material has the heart of a teacher and a true dedication to the preservation and development of the American firearm owner.

— Justin Grusing  
Owner  
Nebraska Shooters, LLC

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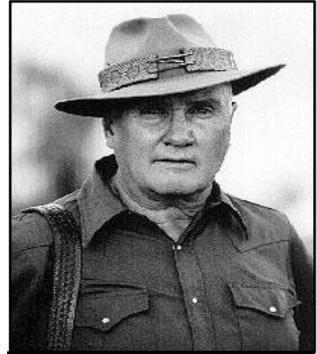
# Knowledge of Safe Handling of a Handgun

- A. Firearm Safety rules
- B. Handgun nomenclature
- C. Firearm safeties and their uses
- D. Loading and unloading of the handgun
- E. Malfunctions and Stoppages
- F. Concealed carry techniques



**A. Firearm Safety rules**

1. Major causes of gun accidents
  - a. Ignorance – An individual may not be familiar with gun safety rules, or know how to operate a firearm.
  - b. Carelessness – An individual may know gun safety rules but neglect to apply them.
  
2. Three fundamental safety rules
  - a. **Always** keep the gun pointed in a safe direction.
  - b. **Always** keep your finger off the trigger until you are ready to shoot.
  - c. **Always** keep the gun unloaded until it is ready to be used.
  
3. Other safety rules
  - a. Store guns so that they are not accessible to unauthorized persons.
  - b. Do not transport or handle a gun if you are not sure how to operate it.
  - c. Never fire a gun unless you intend to hit a specific object, and know what is beyond your target.
  - d. Never look down the barrel to see if a gun is unloaded.
  - e. Be sure the gun is safe to operate.
  - f. Use only the correct ammunition for your gun.
  - g. Wear ear and eye protection as appropriate.
  - h. Never use alcohol or drugs before or during shooting.
  - i. Every time you pick up, are handed, or retrieve a firearm, check to make sure it is unloaded.
  - j. The safety is a mechanical device and mechanical devices can fail.



***“Safety is something that happens between your ears, not something you hold in your hands.”***

**Col. Jeff Cooper  
(5/1/20 – 9/25/06)**

**B. Handgun nomenclature**

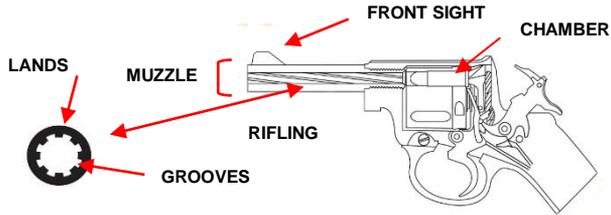
1. **Revolvers.** A revolver is a pistol that has a rotating cylinder containing several firing chambers. The action of the trigger or hammer will line up a chamber with the barrel and firing pin. Revolvers consist of three major components: the frame, the barrel, and the action.



a. Frame. The basic unit to which all other components are attached.



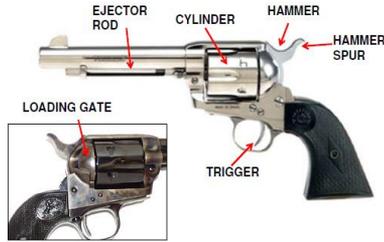
b. Barrel. The metal tube through which the bullet passes.



c. Action. A group of moving parts used to load, fire, and unload a pistol.

- 1) Single Action – trigger performs the *single action* of releasing the hammer; you have to manually cock the gun.
- 2) Double Action – trigger performs the *double action* of cocking and releasing the hammer.
- 3) Double Action only – pulling the trigger is the only way to fire the gun.

- d. Single Action Army Revolver. The Colt Single Action Army, which is also known as the Peacemaker, M1873, and Colt .45, is a single-action revolver that was designed for the U.S. government service revolver trials of 1872. The Colt SAA revolver is a famous piece of Americana, known as "The Gun That Won the West".



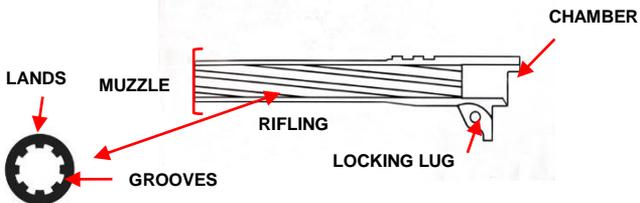
- 2. **Semi-automatics.** A semi-automatic fires a single cartridge each time the trigger is pulled, automatically extracts and ejects the empty case, and inserts a new cartridge in the chamber. Semi-Automatics consist of three major components: the frame, the barrel, and the action.



- e. Frame. The basic unit to which all other components are attached.



- f. Barrel. The metal tube through which the bullet passes.



- g. Action
  - 1) Single Action – first and subsequent shots have short trigger pull.
  - 2) Double/Single Action – first shot has long trigger pull; subsequent shots are short trigger pull.
  - 3) Double Action only – pulling the trigger is the only way to fire the gun.
  - 4) Striker/Hammer-fired – the striker/hammer rests partially cocked; trigger completes cocking/releasing action.
  
- h. Nomenclature



***Say it right!***

**C. Firearm safeties and their uses**

- 1. Active Safeties (manually activated or engaged)
  - a. Safety lever (this is the most common form of safety mechanism). When set to the safe position, it prevents a pull of the trigger from firing the firearm.
  
  - b. Decockers. The decocking lever allows the hammer to be dropped on a live cartridge without risk of discharging it, usually by blocking the hammer or retracting or covering the firing pin before releasing the sear.
  
- 2. Passive
  - a. Grip Safety. A lever or other device situated on the grip of a firearm, which must be actuated by the operator's hand as a natural consequence of holding the firearm in a firing position, in order for the firearm to fire.
  
  - b. Drop Safety. A mechanism designed to reduce the chance of a firearm accidentally discharging when dropped or roughly handled.

- c. Firing Pin Block. A mechanical block that obstructs forward travel of the firing pin.
- d. Hammer Block. Similar to the firing pin block, the hammer block is a latch, block or other obstruction positioned to prevent the hammer contacting the cartridge primer or firing pin.
- e. Transfer Bar. The hammer itself cannot contact a loaded cartridge, but must instead strike the transfer bar, which then contacts the cartridge primer with the spur or pin. The transfer bar is normally positioned out of line with the hammer's travel, but is moved into place by the normal action of the trigger.
- f. Safety Notch [*also known as "half-cock," this is one of the oldest forms of drop safety (see item "b" on previous page)*]. The safety notch is a relief cut made in the tumbler at the base of the hammer that allows the sear to catch and hold the hammer a short distance from the pin or cartridge primer in a "half-cocked" position.
- g. Trigger Safeties. The trigger is composed of two interdependent parts, and the shooter in firing the firearm manipulates both parts of the trigger. Similar to grip safeties, a trigger safety is de-activated as a natural consequence of the shooter firing the firearm.
- i. Magazine Disconnect. A magazine disconnect is an internal mechanism that engages a mechanical safety such as a block or trigger disconnect when the firearm's magazine is removed.

***"Following the rules of safe gun handling does not end because you utilize a mechanical safety. Instead, if you choose to own or carry a firearm that requires the use of a mechanical safety ... you should make an even greater effort to follow the basic safety rules of gun handling due to these firearms having more likelihood of an accidental discharge if you forget to engage the mechanical safety."***

**Rob Pincus,  
Personal Defense Network**

D. Loading and unloading of the handgun

1. Loading a Revolver

- 1) **Keep the muzzle pointed in a safe direction.**
- 2) Make sure hammer is not cocked.
- 3) Keeping finger off trigger, depress cylinder latch.
- 4) Push cylinder open with support hand allowing two middle fingers to slide through frame to ensure full exposure of all chambers and solid grip on gun.
- 5) Insert each cartridge into empty chambers until fully seated.
- 6) Close cylinder and make sure it locks into place.



2. Cocking and uncocking a Revolver

- 1) Single Action requires cocking by pulling hammer back.
- 2) Double Action cocks while pulling trigger.
- 3) To uncock a revolver, block the hammer, press and release the trigger, then let hammer down.

3. Unloading a Revolver

- 1) **Keep the muzzle pointed in a safe direction.**
- 2) Make sure finger is off the trigger.
- 3) Cup body of gun with support hand and depress cylinder release latch.
- 4) Push cylinder open with two middle fingers on support hand.
- 5) Point muzzle upward and slap ejector rod all the way down with palm of shooting hand.
- 6) Verify that all chambers are empty, then close cylinder.



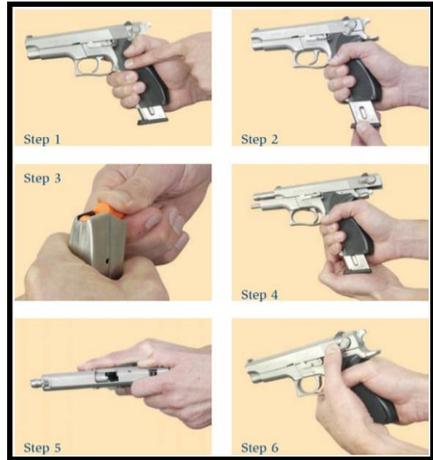
4. Loading a Semi-automatic

- 1) Load the magazine with cartridges— make sure the back (flat) of magazine is toward the palm of support hand, then insert the cartridge bullet-forward.

- 2) **Keep the muzzle pointed in a safe direction.**

- 3) Grip magazine with index finger of support hand at the top front edge so you can feel the first cartridge.

- 4) Keeping finger off trigger, insert magazine in magazine well and push hard to seat.
- 5) Cycle slide to chamber a cartridge.



5. Cocking and uncocking a Semi-automatic

- 1) Single Action requires cocking by pulling hammer back or racking slide.
- 2) Double Action cocks while pulling trigger.
- 3) To uncock a semi-automatic, block the hammer, press and release the trigger, then let hammer down.

6. Unloading a Semi-automatic

- 1) **Keep the muzzle pointed in a safe direction.**

- 2) Make sure finger is off the trigger.
- 3) Press magazine release and remove magazine.
- 4) Cycle slide to remove cartridge from chamber.



- 5) Cycle slide and lock slide to rear.
- 6) Visually inspect chamber and magazine well.

**E. Malfunctions and stoppages**

1. Revolvers

- 1) ***Keep the muzzle pointed in the safe direction.***
- 2) Attempt to fire again. If the gun fails to fire, reload.
- 3) If the trigger is locked, tap to ensure cylinder is closed then attempt to fire. If the gun fails to fire, reload.
- 4) If the cylinder won't open, kick the door in with the heel of your hand to dislodge the cylinder, then finish reloading.



2. Semi-automatics. There are 3 basic types of semiautomatic malfunctions.

**TYPE 1-MISFIRE** (Failure of the cartridge to fire)

**TYPE 2- STOVEPIPE** (Failure to eject empty case from ejection port)

**TYPE 3- DOUBLE FEED** ((Failure to extract one case from the chamber before feeding a new one from the magazine)

Remedial action for a TYPE 1 & TYPE 2 are as follows:

- 1) **Keep the muzzle pointed in the safe direction.**
- 2) Tap to ensure magazine is seated
- 3) Rack the slide to clear the chamber
- 4) Assess target and fire if necessary



A TYPE 3 requires the following remedial actions:

- 1) **Keep muzzle pointed in safe direction.**
- 2) Lock slide to rear to relieve pressure on chambered round
- 3) Check for spare magazine
- 4) Remove magazine and retain if you do not have a spare
- 5) Rack slide 3 times to clear chamber
- 6) Insert loaded magazine
- 7) Rack slide again to load round in chamber
- 8) Assess target and fire if necessary

### F. Concealed carry techniques

1. Principles. Several different methods exist to conceal pistols; for the purpose of this class the main three types (holsters, garments, and bags) will be addressed. Depending on a number of variables, each style of concealed carry has different strengths and weaknesses. At the same time, with proper selection, nearly any holster style would work for concealed carry. Some of the variables that come into play with concealed carry holsters is the size of the pistol, your body type, and the climate you live and work in. The four main things to consider, however, are concealment, comfort, ease of access, and retention.
  - a. Concealment. Of all the variables that come into play when searching for a good concealed carry holster, this is one of the most important. The size of the pistol will impact the types of concealment methods that you use. The smaller the overall size of the pistol, the easier it will be to conceal. Larger framed handguns are more difficult to conceal. Larger pistols will virtually eliminate the options of ankle carry or pocket carry. Keep this in mind as you evaluate handguns that you'll be trying to conceal either directly on your person or near your person in some form of off-body carry.
  - b. Comfort. If you're planning to carry a concealed handgun, you need a holster that is comfortable enough for everyday carry. The most effective concealment holster in the world won't be worn if it's not comfortable. If not comfortable, at least the holster should be tolerable. As stated above, smaller pistols will generally be more comfortable to carry; they are smaller and lighter than large frame pistols.
  - c. Ease of Access. A holster should allow you to get a secure grip on your handgun so you can present it quickly. If you use a holster with a retention device, you should be able to release the device without effort or strain, while maintaining the secure grip on the pistol.
  - d. Retention. The holster you select should securely retain your handgun while also providing ease of access. Additionally, a good holster should cover the trigger guard. The holster's material should also be sufficiently rigid so that it protects the trigger from being depressed while holsters. Take the time to find a holster that has a proper fit for your specific handgun.

2. Methods of concealed carry
  - a. Holsters. Holsters are typically leather, nylon or Kydex® plastic. They can use snaps, tension screws, metal clips or other methods to ensure firearm retention.
    - 1) Hip holsters attach to a belt using loops, clips or paddles and may be either inside the waistband (IWB) or outside the waistband (OWB). Selection is heavily influenced by the individual's personal habits and firearms, and placement of the holster can be strong-side, cross-draw, or small-of-the-back.
    - 2) Alternatives to hip-mounted holsters include shoulder holsters, pocket or wallet holsters, and ankle holsters.
  - b. Garments
    - 1) Jackets and vests. Holster jackets usually conceal with Velcro® closures and may take several motions to draw from. Additionally, the wearer may not be able to take off the jacket when it would normally be appropriate. Vests share many issues with jackets, and unless you're a photographer, most vests tend to look out of place. This method of carry shares many issues with cross-draw holsters.
    - 2) Bellyband or Underwear. Both offer generally good concealment and retention but can be difficult to draw from. Undershirt holsters can conceal well, but they can be hard to access in a hurry and will create other issues, like wearing a snap-type shirt.
  - c. Bags (off body carry). The main caveat with off body carry is that you must maintain absolute control of your bag (pack, purse, briefcase, etc.). You must ensure that your firearm is not left unattended. Dropping it is the same as dropping any loaded firearm. Wearing the shoulder strap of a bag across the body is more secure than traditional carry methods.
    - 1) Packs, Messenger Bags, Purses, and Briefcases. These types of strapped bags can provide secure and discrete carry if they are specifically designed for concealed carry, or are fitted with an internal holster. These methods require additional practice to ensure a safe/quick draw.

Additionally, you should ensure that the pistol will not be exposed during your normal activities.

- 2) Fanny Packs. Fanny packs can provide good security and concealment, but they usually require multiple steps be completed to draw the pistol. They can look out of place in some circumstances, and most commercially manufactured concealment packs look like concealment packs (large and square, without accessory pockets, etc.).
  
- d. Specialty Holsters
  - 1) Bra and Thigh holsters. All of the aforementioned principles of concealment apply. But it goes without saying that basic firearm safety is paramount if you are going to use this method of carry.
  
  - 2) Vehicle holsters. Do not simply throw your handgun in the glove box. Most firearms (regardless of their safety features) can fire accidentally if left to bounce around a vehicle unprotected by a holster or case.
  
3. Concealed carry clothing
  - a. ***"Concealed carry" means that the firearm is worn in such a manner that it is completely concealed from the view of others.***
  
  - b. Wear appropriate clothing. To a certain degree, climate will dictate the type of clothing that you wear, which in turn will play a part in your concealed carry. Hot or humid climates will usually require shorts and short sleeves, while cooler climates allow for more clothing, which translate to easier concealment. Warm climate locations can pose the biggest challenges to concealed carry as clothing is minimal.

***Clothing should allow maximum concealment, retention, and access. Make sure your firearm doesn't play "Peek-a-Boo" with the public. Make sure it remains concealed when grabbing a wallet in the hip pocket or from your purse. Ensure the gun does not "flash" from under clothing when you are reaching for something. Make sure garments aren't so tight that the firearm "prints" through clothing.***

- c. Don't forget the belt! Though the belt may seem insignificant when compared to the handgun or holster, it is a cornerstone of concealed carry. A good concealed carry belt must fit holster slots, be of sufficient weight, be securely fastened, and match clothing.
  - d. Mirror check. After deciding on a concealment firearm and carry method. Use a mirror or another person to ensure that you are actually concealing your firearm, and in various positions (i.e. getting out of the car, tying your shoes, etc.).
  - e. Consistency of carry. Carrying your pistol in the same manner every time, is important from the standpoint of safety and familiarity. If you practice with several holsters you will never become proficient with any of them.
4. Presenting a handgun from concealment. Properly drawing or presenting your handgun from concealed carry is of critical importance for effectively using it for self-defense.
- a. First, here are the seven steps for handgun presentation:
    - 1) Access and grip the butt of the gun.
    - 2) Pull the Gun from the Holster.
    - 3) Rotate the Muzzle toward the Target.
    - 4) Join the Weak Hand with the Strong Hand.
    - 5) Extend the Gun toward the Target.
    - 6) Fire the Gun if Necessary.



- b. Now that we've covered the basics, let's add the complication of a concealment garment. The draw or presentation can be from an open front or closed front garment. In either case, the garment must be cleared for access to the handgun.

1) Open Garment (HK Technique)

- a) Place thumb of shooting hand on the center chest area and drags toward holster (thumb should contact and move the garment easily).



- b) Quickly access and properly grip your handgun and continue the other steps in the draw process.

2) Closed Garment (Hackathorn Rip)

- a) Reach across body with support hand and grip the bottom hem of the garment.
- b) Pull straight up and very high up to your strong shoulder, then “rip” the most amount of garment



out of the way towards your heart (it is important to grab the base of the closed garment back and very near the holster so that the gun is exposed fully).

- c) Quickly access and properly grip your handgun and continue the other steps in the draw process.

- c. ***Practice! Practice is needed with any method of concealed carry to achieve a safe draw. Practice should be conducted with an unloaded pistol, using the three fundamental rules of firearms safety. Be consistent so that the actions ingrained in your mind and muscles work.***

***You should practice each step slowly and continue to move quicker and quicker until the four steps literally become one smooth evolution. SLOW IS SMOOTH AND SMOOTH IS FAST. Just like anything else it takes time and repetition to become confident and competent in drawing (mounting) your pistol. And don't forget it's a perishable skill set so it needs to be integrated with your regular training program.***



# Safe Handling of Ammunition

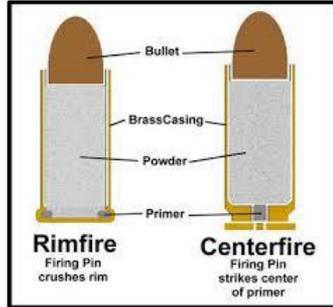
- A. Nomenclature of ammunition
- B. Armor Piercing Ammunition
- C. Factory new vs. reloaded ammunition
- D. Inspection of ammunition
- E. Identifying misfires and squibs
- F. Avoiding lead contamination



**A. Nomenclature of ammunition**

1. Components

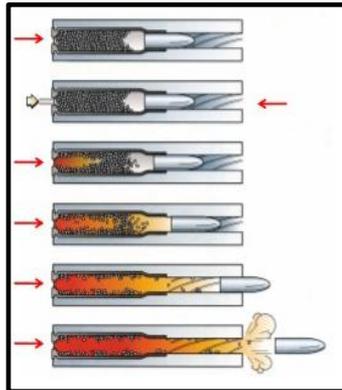
- a. Bullet
- b. Case – Usually brass or plated brass, also steel or aluminum
- c. Powder Charge
- d. Primer



2. Rimfire vs. Centerfire. A rimfire cartridge has the priming compound placed around the *rim* of the case (see above). A centerfire cartridge has a separate cup containing the priming compound, and this is placed in the *center* of the case (see above).

3. Firing sequence

- a. Firing pin strikes and ignites primer.
- b. Primer flame ignites the powder charge.
- c. Burning powder creates rapidly expanding gases.
- d. Pressure from gas expansion propels the bullet out of the barrel.



4. Cartridge identification

- a. The shooter must be sure to load the proper cartridge into their pistol.
- b. The shooter should match the cartridge designation on the pistol or owner's manual with the designation on the ammunition box, or cartridge head stamp.



- c. The “Special” Cartridges—.38 Special and or .44 Special cartridges can be used for practice or when less power is required in a .357 Magnum or .44 Magnum respectively.
- d. “Plus-P (+P)” cartridges are loaded to higher pressures than standard ammunition. “Plus-P-Plus (+P+)” cartridges are loaded to higher pressures than +P. ***The shooter must consult the owner’s manual, pistol manufacturer, or competent gunsmith to insure the pistol is capable of handling more powerful ammunition than standard.***

### B. Use of armor piercing ammunition

- a. Federal law prohibits possessing armor piercing ammunition while committing a crime of violence or drug trafficking.

### C. Use factory new vs. reloaded ammunition

1. Reloaded ammunition is produced by reusing fired brass and plated brass casings.
2. Reloads (from a reliable source) may be used during practice sessions to allow more economical practice.
3. Reloads may not be as reliable as factory new ammunition and may shoot to a different point of aim.
4. Reloads can also be improperly loaded to created over-pressuring and cause damage to gun or injury to shooter.
5. Factory new ammunition should always be used for actual self-defense carry.
6. Any ammunition used for self-defense should be extensively tested in the firearm it will be carried in.

### D. Inspection of ammunition

1. Ammunition should be checked on a routine basis for any indication of deterioration such as corrosion.
2. Ammunition should be kept in the factory box, in a cool dry place away from unauthorized persons.
3. Wipe fingerprints off ammunition with a clean rag or silicon cloth, but never use any chemicals, lubricants, or solvents on ammunition, especially copper solvents containing ammonia.
4. If ammunition is subject to several administrative loadings and unloadings, nickel cases should be considered. Additionally, cartridges loaded from a magazine into a semi-automatic pistol may have the bullet seated deeper than intended with a corresponding increase in chamber pressure.
5. Ammunition will eventually deteriorate. It should be used-up or safely disposed of, regardless of storage method, this should be done every year for ammunition carried in a magazine, and every five years for ammunition properly stored in the home.



### E. Identifying misfires, hangfires, and squibs

1. Misfire. The failure of a cartridge to fire after the primer has been struck by the firing pin.
2. Hangfire. A delay in the ignition of the ignition of a cartridge.
3. Squib Load. A cartridge that develops less than normal pressure or velocity. The action may not cycle, and the bullet may not exit the barrel which could lead to dangerous pressures if a subsequent round is fired.
4. In a range environment, you should wait at least 30 seconds (with the pistol pointed in a safe direction) before opening the action.
5. In a defensive situation, you can try striking the primer again (double action only), generally you will have to rapidly clear the cartridge.

**F. Avoiding lead contamination**

1. Lead is used in most pistol bullets, it is an element of brass, and most primers contain lead styphinate.
2. When you fire any firearm, your exposed skin and clothing are exposed to lead in dust and gas form. Even the act of walking downrange coats your shoes in lead dust. You can be exposed to lead while cleaning your pistol.
3. Lead exposure is especially hazardous to young children, pregnant women and persons with other health concerns.
4. Minimizing lead contamination.
  - a. Shoot in a well-ventilated place.
  - b. Apply any sunblock before shooting begins.
  - c. Do not eat, drink, smoke, chew gum, or apply make-up while shooting.
  - d. Wash hands and face with **COLD** soapy water immediately after shooting, and before eating, drinking, etc.
  - e. Change clothes after shooting. If high risk individuals live with you, leave your range shoes in the garage or shop so you aren't tracking lead into your house.



# The Fundamentals of Handgun Shooting

- A. Stance
- B. Grip
- C. Sight alignment
- D. Trigger control
- E. Breathing
- F. Follow through

**DON'T PRACTICE  
UNTIL YOU GET IT  
RIGHT. PRACTICE  
UNTIL YOU CAN'T  
GET IT WRONG.**



## 1. Safe handgun shooting fundamentals

If you decide to carry a firearm—whether for self-defense, or sporting purpose—you have a responsibility to develop and maintain marksmanship skills. These basic skills, along with regular practice will insure that you hit only what you aim at. In a defensive situation, this is critical; not only from a self-preservation point of view but from a legal and moral obligation as well. A miss will never make a self-defense situation resolve better and could result in the injury or death of an innocent bystander. Once fired, your bullet cannot be recalled.

***An effective shooting position is the platform from which the fundamentals are applied. The common characteristics***

- **Consistency**
- **Balance**
- **Support**
- **Natural Aiming Area**
- **Comfort**

### A. Stance

1. **The Isosceles Stance.** The Isosceles is the first two-handed stance taught in most firearms training classes, including NRA First Steps and Basic Pistol classes. It's taught because the Isosceles is a strong, simple stance that is easy to remember under stress.
  - a) Stand facing the target with your feet shoulder width apart.
  - b) Bend your knees slightly.
  - c) Extend the handgun fully toward the target keeping your arms straight and locked.
  - d) With your shoulders squared, your arms form the perfect isosceles triangle from which the stance receives its name.



2. **The Weaver Stance.** The Weaver stance was developed by Jack Weaver. He was the first to use a two-handed grip with opposite tension from both hands. The push/pull grip stance provides speed, stability and accuracy.
  - a) Stand with your feet shoulder width apart with your strong-side leg slightly back in what is often called a boxer's stance.
  - b) Angle your support arm's shoulder toward the target.
  - c) Bend your knees while keeping your body weight slightly forward.
  - d) Grasp the gun using opposite pressure with both hands.
  - e) Keep both elbows bent with the support elbow pointing downward.



3. **Modified Weaver.** This stance combines parts of both the Weaver and Isosceles stances; it could also be called the Fighting for its speed and accuracy and because it keeps the body-armored chest facing forward rather than exposing the uncovered armpit to a potential threat.
  - a) Stand with your feet shoulder width apart. Your strong-side leg slightly behind the weak-side leg
  - b) Keep your shoulders squared with the target.

- c) Grasp the handgun using opposite pressure with both hands and lock the arms forward.



**B. Grip.** To assume a two-handed grip, the non-shooting hand places the pistol in the shooting hand.

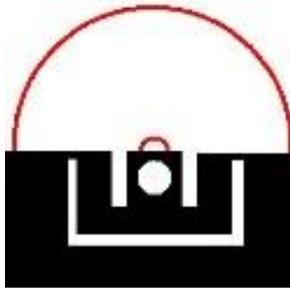
- 1. The “V” between the thumb and forefinger of the shooting hand is placed high on the back strap of the pistol.
- 2. Grip the pistol with the base of the thumb and lower three fingers. Grip pressure is straight to the rear and the trigger finger is high along the frame.
- 3. Bring the non-shooting support hand to the shooting hand. Wrap the support hand fingers around the shooting hand finger, and then bring the heel of your support hand firmly against the heel of the shooting hand.



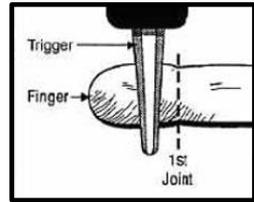
Grip consistency is essential for accurate shooting. It is important to remember that the proper grip for one firearm may not be appropriate for another firearm.

- C. **Sight alignment and sight picture.** Sight alignment refers to the proper relationship of the pistol's front and rear sights. ***Sight alignment is the most important shooting fundamental. Focus on the front sight with your dominant eye.***

Proper sight picture is obtained when the aligned sights are put into their relationship with the target.



- D. **Trigger control.** The index finger should be located on the trigger so that the pad of the finger is about half way between the tip and the first joint. It is the technique of pulling the trigger without causing movement of the sights. ***Trigger Control is the second most important shooting fundamental.***



- E. **Breathing.** Breath control minimizes the body movement produced by breathing, which can impair good shooting. Take a breath before each shot, let out enough air to be comfortable and then simply stop breathing while firing the shot. ***Avoid holding your breath too long, this can cause tremors.***
- F. **Follow through.** Follow-through is the continuation of the application of the fundamentals of shooting through and immediately after the shot is fired. Follow-through enables the shooter to integrate, maintain, and continue the shooting fundamentals before, during, and after the shot.

# Missing your Ex



So you're down at the range aiming at some X's  
and your shot group grows the size of Texas

You notice they are trending a bit left and a little low.  
That's not where you wanted your bullets to go.

You may not know it, but you're slapping your trigger  
and if you pick up the pace, your groups will grow bigger

You need to take a deep breath and let it half way out  
Get a good grip and a stance real stout.

Line up your sights with equal height and light  
Once you're on the bullseye, focus on the front sight.

Put your finger on the trigger and take out the slack  
Press that trigger straight flat back.

Build up pressure until the gun goes POP  
Then get back on target. Don't peek over the top!

Sometimes your gun goes CLICK with no Bang  
So you tap and you rack and you try it again.

If that don't work you get a tap, rack click.  
Now you need to try a different trick.

Take your finger off the trigger and lock the slide back.  
Pull your mag out and rack rack rack.

Put your mag back in and rack it again.  
If your gun's not broke you can let the shooting begin!

-JW Grusing



# **Proper storage practices for handguns and ammunition**

**(including storage practices which would reduce  
accidental injury to a child)**

- A. Use of safes
- B. Various handgun locking devices
- C. Separate storage of handguns and ammunition
- D. Suicide Prevention
- E. Cleaning and maintenance of handguns





Ultimately, your firearm will spend more time being stored than being carried. To ensure that your firearm is not accessible to unauthorized persons when it is not in your possession you must have an appropriate place to store your firearm. **You will need secure storage in your home and in your automobile.** The degree of security and accessibility required varies so I will cover the basics and you can determine which methods meet your needs. Each gun owner needs to balance between accessibility and safety.

**A. Use of safes**

<b>Floor Safes</b>	<ul style="list-style-type: none"> <li>- Very Secure</li> <li>- Fire Resistant</li> <li>- Child Proof</li> <li>- Moisture Control</li> </ul>	<ul style="list-style-type: none"> <li>- Easily Identified as a store of Valuables</li> <li>- Expensive</li> </ul>
<b>Wall Safes</b>	<ul style="list-style-type: none"> <li>- Secure</li> <li>- May offer fire resistance</li> <li>- Child Proof</li> <li>- Finger pad or Biometric offer instant access</li> <li>- Moisture Control</li> </ul>	<ul style="list-style-type: none"> <li>- May be defeated by determined thief</li> </ul>
<b>Lock Boxes</b>	<ul style="list-style-type: none"> <li>- Temporary Storage in Home or Auto</li> <li>- Childproof</li> <li>- Quick Access</li> <li>- Offers level of deterrence</li> <li>- May be mounted to wall or cable locked to interior</li> </ul>	<ul style="list-style-type: none"> <li>- Simplex Lock Type</li> <li>- Key Lock Type</li> <li>- Lockable Gun Case</li> <li>- Can trap moisture</li> <li>- Can be defeated</li> </ul>

## B. Various handgun locking devices

1. Trigger Locks clamp and lock around the trigger housing to prevent the trigger from being pressed. They should not be engaged on a loaded gun because they come in contact with the trigger as they are installed and removed.
2. Cable Locks allow the shooter to run cable through the barrel or action of a firearm. Since the cable blocks the action from being closed, the gun cannot be loaded or fired with the cable lock in place.
3. Internal mechanical locking devices are built into a handgun and designed to prevent the handgun from being discharged unless the device has been deactivated.
4. Handcuff or "regular" padlocks can also be placed between the trigger and trigger guard to prevent the gun from being fired.



## C. Separate storage of handguns and ammunition

1. Additional level of security against unauthorized use.
2. Promotes the safety rule of not loading firearms until they are needed.
3. Most firearms storage methods are not generally suitable for ammunition (i.e. a sealed metal lock box containing ammunition is an increased hazard during a fire).

## **D. Suicide Prevention**

### Understanding the Importance of Suicide Prevention

The Centers for Disease Control and Prevention reports that in 2021:

- 48,183 deaths were due to suicide
- 26,328 of suicide deaths involved a firearm
- A suicide death occurs every 11 minutes
- 12.3 million adults seriously thought about suicide
- 3.5 million adults made a plan for suicide
- 1.7 million adults attempted suicide
- Suicide is a leading cause of death in the U.S.
- Suicide was among the top 9 leading causes of death for people ages 10-64 in 2021
- Suicide was the second leading cause of death for people ages 10-14 and 20-34 in 2021
- Suicide rates increased by approximately 36% between 2000-2021

### **Identifying Risk Factors**

Groups with higher-than-average suicide rates include:

- Non-Hispanic American Indian/Alaska Native people
- Non-Hispanic white people
- Veterans
- People who live in rural areas
- Workers in certain industries and occupations such as mining and construction
- Young people who identify as lesbian, gay, or bisexual
- History of depression/mental illness
- Serious illness/chronic pain
- Legal problems
- Impulsive/aggressive tendencies
- Substance use
- Adverse childhood experiences
- Sense of hopelessness
- Victim or perpetrator of violence
- Experiencing bullying
- Loss of relationships
- High conflict or violent relationships
- Social isolation

- Lack of access to healthcare/mental healthcare
- Easy access to lethal means of suicide

### **Identifying Protective Factors**

Protecting against suicide risks:

- Effective coping and problem-solving skills
- Reasons for living (family, friends, pets, job, etc.)
- Strong sense of cultural identity
- Support from friends and family
- Feeling connected to others (school, community, and other social institutions)
- Availability of consistent and high quality physical and behavioral healthcare
- Reduced access to lethal means of suicide among people at risk

Actions to Take if Warning Signs are Observed

- Don't leave the person alone
- If your loved one is actively suicidal and at immediate risk of physical harm or death, call 911 immediately
- If your loved one agrees and is not actively harming themselves, bring them to the emergency room and report they are actively suicidal
- Remove any firearms, knives, medications or other means that can be tools for self-harm
- Tell a family member or friend-don't try to handle the situation alone
- If your loved one is having thoughts about suicide, call 911 or a crisis line or bring them to the emergency room  
If you are experiencing thoughts of suicide, tell a loved one, go to the emergency room, call 911, or

- E. Cleaning and maintenance of handguns. *Always check the pistol to ensure it is unloaded before cleaning and maintenance, and remove ammunition from the cleaning bench.***
1. Frequency (after each use).
  2. Disassembly (usually in owner's manual). *Regardless of how familiar you are with firearms, the owner's manual should be the first thing you read after you purchase a firearm.*
  3. Cleaning (bore, general, magazine). *New firearms come from the factory coated with oil and preservatives. It is important to disassemble and clean your gun before you go to the range.*
  4. Lubrication. *A little goes a long way.*
  5. Inspection
  6. Reassembly
  7. Function Check





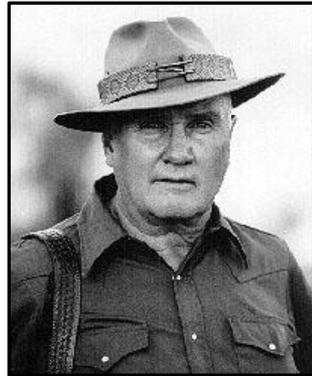
# **Ways to avoid a criminal attack and to defuse or control a violent confrontation**

- A. Situational Awareness**
- B. Avoiding Criminal Attacks**
- C. Conflict Resolution**
- D. Vehicle Safety**
- E. Active Shooter Events**



**Ultimately, your ability to avoid using deadly force may be the most important aspect of concealed carry training.** As recent events have illustrated, regardless of the result of any court actions stemming from a self-defense shooting, the post-shooting legal process can take months or years and thousands of dollars to resolve. **If you use deadly force you must be prepared to prove that you had no other alternative.** This block will help you find those alternatives or avoid violent confrontations altogether.

**A. Situational awareness.** Colonel John Dean "Jeff" Cooper (05/10/1920 – 09/25/2006), a Marine with combat service in World War II and Korea, created what is known as "The Modern Technique" of handgun shooting, and could arguably be called one of the 20th century's foremost experts on the use and history of small arms.



**“Understand this:  
Bad things happen.  
Apathy, denial and  
complacency can be  
deadly.”**

**Col. Jeff Cooper  
(5/1/20 – 9/25/06)**

**The most important means of surviving a lethal confrontation, according to Cooper, is neither the weapon nor the martial skills. It's the Combat Mindset.**

This mindset is a color code relating not to tactical situations or alertness levels, but to your state of mind (Cooper did not claim to have invented the color code, but he was the first to use it as an indication of mental state). As taught by Cooper, you are not in any color state because of the specific amount of danger you may be in, but rather in a mental state which enables you to take a difficult psychological step to properly handle a given situation.

1. **White = Unaware and unprepared.** If attacked in Condition White, you will probably die. The only thing that may save you is the inadequacy or ineptitude of your attacker. When confronted by something nasty, your reaction will probably be “Oh my God! This can't be happening to me.”
2. **Yellow = Relaxed alert.** There is no specific threat situation, but your mindset is that “today could be the day I may have to defend

myself.” You are simply aware that the world is a potentially unfriendly place and that you are prepared to defend yourself, if necessary. You use your eyes and ears, and realize that “I may have to shoot today.” **You don’t have to be armed in this state, but if you are armed you should be in Condition Yellow. You should always be in Yellow whenever you are in unfamiliar surroundings or among people you don’t know.** You can remain in Yellow for long periods, taking in surrounding information in a relaxed but alert manner, like a continuous 360-degree radar sweep.

3. **Orange = Specific alert.** Something is not quite right and has your attention. You shift your primary focus to determine if there is a threat. Your mindset shifts to focusing on the specific target which has caused the escalation in alert status. In Condition Orange, you set a mental trigger: “If that person does ‘X’, I will need to stop them.” **If you are armed your pistol usually remains holstered in this state.** Staying in Orange can be a bit of a mental strain, but you can stay in it for as long as you need to; if the threat proves to be nothing, you shift back to Condition Yellow.
4. **Red = Condition Red is fight.** Your mental trigger has been tripped. “X” happened and the fight is on.

In short, the Color Code helps you “think” in a fight. As the level of danger increases, your willingness to take certain actions increases. **If you ever do go to Condition Red, the decision to use lethal force has already been made.**

Situational awareness is not something that can be practiced only by highly trained government agents or specialized corporate security teams. **Indeed, it can be exercised by anyone with the will and the discipline to do so.** Situational awareness is not only important for recognizing terrorist threats, but it also serves to identify criminal behavior and other dangerous situations.

The primary element in establishing this mindset is first to recognize that threats exist. Ignorance or denial of a threat make a person’s chances of quickly recognizing an emerging threat and avoiding it highly unlikely. **Bad things do happen. Apathy, denial and complacency can be deadly.**

### B. Avoiding criminal attacks

1. ***Plan ahead!***
2. Avoid dangerous people.
3. Avoid dangerous situations and places.
4. Avoid having patterns and making yourself a target.
5. Don't respond to antagonistic behavior and don't antagonize others.
6. Look for escape Routes and deny privacy.

### C. Conflict Resolution. ***As important as self-defense is, physical confrontation should be the last option, as long as it can be safely avoided.***

1. Psychological reactions to threats.
  - a. Freeze. This is the result of shock and confusion; more predominant if you are caught unaware.
  - b. Submit. Submission can take several forms. If an attacker asks for your money, you may throw it and run (still cheaper than being arrested for using deadly force) however, criminals don't have a rule book so any act of submission must be carefully considered. Proper mental alertness and planning will reduce the likelihood of having submission as your best alternative.
  - c. Posturing. Words, sounds, gestures and body language used to intimidate an attacker. Remember the joke "I don't have to outrun the bear; I just have to outrun you"? In posturing you need only be tougher than another target, not tougher than the attacker.
  - d. Flight. This is a natural response that you may be tempted to override out of a sense of pride. Also be aware that flight may sometimes increase the risk of injury.
  - e. Fight. Deadly force may only be used under very specific circumstances (covered later). Lesser degrees of force are the preferred method, including; yelling a warning (never ask someone to leave you alone, tell them), striking the attacker, producing a weapon, and finally the use of deadly force.

***Additionally, justification to shoot does not eliminate civil suits brought by the survivors of your attacker.***

Since this class is structured to teach the requirements to carry a concealed handgun, it would seem to be illogical to recommend lesser degrees of force. ***In reality, even a justifiable shooting is very hard to prove. You must exhaust all other forms of defense before you resort to deadly force, and then only to protect yourself or others from imminent danger.***

2. Physiological reactions to threats
  - a. Adrenaline rush. The dump of adrenaline to your system will cause your heart rate to increase, your rate of breathing will increase, and your intestinal muscles will relax.
  - b. Loss of fine motor skills—the coordination of movement of small muscles, usually involving the synchronization of hands, fingers, and eyes (also known as dexterity). The adrenaline dump also increases blood flow to your skeletal muscles, causing you to lose fine your fine motor skills.
3. Perceptual changes during threats
  - a. Tunnel vision. The loss of peripheral vision with retention of central vision, resulting in a constricted circular tunnel-like field of vision.
  - b. Auditory exclusion. A form of temporary loss of hearing occurring under high stress. As such it is related to tunnel vision and “the slowing of time in the mind.”
  - c. Time dilation. The perceived difference of elapsed time between two events as measured by observers either moving relative to each other or differently situated—“the slowing of time in the mind.”
  - d. Temporary loss of memory. High stress events are known to interfere with a person's capacity to encode memory and the ability to retrieve information.
4. Controlling Encounters
  - a. Keep your distance
  - b. Be wary of strangers

- c. ***If you must engage, yell your commands.***
    - “Stop”
    - “Drop your weapon”
    - “Go Away”
    - “I have a weapon”
    - “Don’t make me shoot”
  
  - d. Holding an attacker for the police. Generally speaking, holding an attacker is dangerous and unrealistic. *Unless you feel that the attacker presents an immediate danger to others, your best course is to let them go and have police pick them up.* If you do hold an attacker, understand that others (including the police) may not understand the situation you are in. *Keep alert to your surroundings.* Do not approach or frisk an attacker. An attacker can flee, comply with your demands, or fight. ***If they choose flight, let them go.***
5. The Use of Deadly Force
- a. Maintain your Combat Mindset; ***never give up!***
  
  - b. Risk of injury. The use of deadly force doesn’t eliminate the chance of being seriously injured. If you are injured, you must continue fighting until the attack is resolved.
  
  - c. After the attacker is down:
    - *Don’t approach*
    - *Scan for threats*
    - *Move to cover*
    - *Contact Police*
    - *Wait for Police*
    - *Maintain Alertness*
    - *Maintain the Integrity of the Shooting Scene*
  
  - d. Contact with police. Never assume that the responding officer understands the situation. You’re an armed individual and present a threat to responding police officers. Follow orders, worry about advocating your position later when the situation is defused. *When the police determine that you are no longer a threat, they will ask you for any information they need to continue looking for additional assailants or determine your status. **Always be very conscious of the direction your barrel is pointing.***

- e. Leaving the scene. **You have a legal obligation to remain on scene**, however, if your safety is compromised by remaining on the scene you may need to leave. This is generally looked down-upon however, and you should immediately attempt to contact police. Never compromise evidence if you leave the scene (don't wash up), and always report the encounter even if no one appears to be injured

**D. Vehicle Safety**

- 1. Stay in your car and keep the engine running.
- 2. When approaching your vehicle:
  - a. Find your keys.
  - b. Keep an eye out for loiterers
  - c. Scan the interior
  - d. **If attacked, drop your valuables and run away**
- 3. While driving, keep your doors locked and your windows up.
- 4. Beware of Bump-and-Rob.
- 5. Road Rage

- 1/3 of collisions involve road rage
- 50% of drivers get aggressive with road ragers
- 2% get revenge
- 66% of traffic fatalities are caused by aggressive drivers
- 37% of road rage incidents involve firearms

**E. Active Shooter Events.** An “active shooter” is an individual who is engaged in killing or attempting to kill people in a confined and populated area; in most cases, active shooters use firearm(s) and there is no pattern or method to their selection of victims.

There are three courses option when responding to active shooter situations.



- a. Run
  - 1) Have an escape route and plan in mind.
  - 2) Leave belongings behind.
  - 3) Evacuate regardless of whether others agree to follow.
  - 4) Help others escape.
  - 5) Do not attempt to move the wounded.
  - 6) Prevent others from entering an area where the active shooter is.
  - 7) Keep your hands visible.
  - 8) Call 911 when you are safe.
  
- b. Hide
  - 1) Your hiding place should be out of the active shooter's view.
  - 2) Not trap you or restrict your options for movement.
  - 3) To prevent an active shooter from entering your hiding place, lock the door and blockade the door with heavy furniture.
  - 4) Silence your cell phone and/or pager and turn off any source of noise (i.e., radios, televisions).
  - 5) Remain quiet!
  
- c. Fight
  - 1) As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter.
  - 2) Act as aggressively as possible; yell, throw items, or use improvised weapons.
  - 3) Commit to your actions...your life depends on it!
  
- d. First Responders
  - 1) The first officers to arrive on scene will not stop to help the injured
  - 2) Expert rescue teams to follow initial officers
  - 3) These rescue teams will treat and remove injured
  - 4) Once you reach a safe location you will likely be held by law enforcement until the situation is under control and all witnesses have been identified and questioned.
  - 5) Do not leave the area until law enforcement authorities have instructed you to do so.





# Federal, state, and local laws pertaining to the purchase, ownership, transportation, and possession of handguns

- A. State Statutes – 28-1201 to 28-1212.02
- B. Snowmobiles – 60-6,342 to 60-6,344
- C. Handgun Purchase Permits – 69-2401 to 69-2426
- D. Procedures for contact with Law Enforcement Officers and Emergency Medical Services personnel
- E. Required documents – DL or ID card and CHP
- F. Locations CCW are not allowed
- G. Federal Law – Title 18 USC and 27 CFR
- H. Local Laws of each jurisdiction in Nebraska

***It is strongly recommended that you consult an attorney before carrying a handgun, so that you can fully understand the legal consequences of using a firearm.***



**A. State Statutes – 28-1201 to 28-1212.02**

28-1201. Terms defined in Glossary

28-1202. Carrying concealed weapon; penalty; affirmative defense.

(1) A minor or a prohibited person shall not carry a weapon or weapons concealed on or about his or her person, such as a handgun, a knife, brass or iron knuckles, or any other deadly weapon.

(2) A violation of this section is a Class I misdemeanor for a first offense and a Class IV felony for a second or subsequent offense.

28-1203. Transportation or possession of machine guns, short rifles, or short shotguns; penalty; exception.

(1) Any person or persons who shall transport or possess any machine gun, short rifle, or short shotgun commits a Class IV felony.

(2) The provisions of this section shall not be held to prohibit any act by peace officers, members of the United States armed services, or members of the National Guard of this state, in the lawful discharge of their duties, or persons qualified under the provisions of federal law relating to the short rifle, short shotgun, or machine gun.

28-1204. Unlawful possession of a handgun; exceptions; penalty.

(1) Any person under the age of eighteen years who possesses a handgun commits the offense of unlawful possession of a handgun.

**(2) This section does not apply to the issuance of handguns to members of the armed forces of the United States, active or reserve, National Guard of this state, or Reserve Officers Training Corps, when on duty or training, or to the temporary loan of handguns for instruction under the immediate supervision of a parent or guardian or adult instructor.**

(3) Unlawful possession of a handgun is a Class I misdemeanor.

28-1204.01. Unlawful transfer of a firearm to a juvenile; exceptions; penalty; county attorney; duty.

(1) Any person who knowingly and intentionally does or attempts to sell, provide, loan, deliver, or in any other way transfer the possession of a firearm to a juvenile commits the offense of unlawful transfer of a firearm to a juvenile. The county attorney shall have a copy of the petition served upon the owner of the firearm, if known, in person or by registered or certified mail at his or her last-known address.

(2) This section does not apply to the transfer of a firearm, other than a handgun, to a juvenile:

- (a) From a person related to such juvenile within the second degree of consanguinity or affinity if the transfer of physical possession of such firearm does not occur until such time as express permission has been obtained from the juvenile's parent or guardian;
- (b) For a legitimate and lawful sporting purpose; or
- (c) Who is under direct adult supervision in an appropriate educational program.

(3) This section applies to the transfer of a handgun except as specifically provided in subsection (2) of section 28-1204.

(4) Unlawful transfer of a firearm to a juvenile is a Class III felony.

28-1204.02. Confiscation of firearm; disposition.

Any firearm in the possession of a person in violation of section 28-1204 or 28-1204.01 shall be confiscated by a peace officer or other authorized law enforcement officer. Such firearm shall be held by the agency employing such officer until it no longer is required as evidence.

28-1204.03. Firearms and violence; legislative findings.

The Legislature finds that:

(1) Increased violence at schools has become a national, state, and local problem;

(2) Increased violence and the threat of violence has a grave and detrimental impact on the educational process in Nebraska schools;

(3) Increased violence has caused fear and concern among not only the schools and students but the public at large;

(4) Firearms have contributed greatly to the increase of fear and concern among our citizens;

(5) Schools have a duty to protect their students and provide an environment which promotes and provides an education in a nonthreatening manner;

(6) An additional danger of firearms at schools is the risk of accidental discharge and harm to students and staff;

- (7) Firearms are an immediate and inherently dangerous threat to the safety and well-being of an educational setting; and
- (8) The ability to confiscate and remove firearms quickly from school grounds is a legitimate and necessary tool to protect students and the educational process.

28-1204.04. Unlawful possession of a firearm at a school; penalty; exceptions; confiscation of certain firearms; disposition.

(1) Any person who possesses a firearm in a school, on school grounds, in a school-owned vehicle, or at a school-sponsored activity or athletic event is guilty of the offense of unlawful possession of a firearm at a school. Unlawful possession of a firearm at a school is a Class IV felony. This subsection shall not apply to (a) the issuance of firearms to or possession by members of the armed forces of the United States, active or reserve, National Guard of this state, or Reserve Officers Training Corps or peace officers or other duly authorized law enforcement officers when on duty or training, (b) the possession of firearms by peace officers or other duly authorized law enforcement officers when contracted by a school to provide school security or school event control services, (c) firearms which may lawfully be possessed by the person receiving instruction, for instruction under the immediate supervision of an adult instructor, (d) firearms which may lawfully be possessed by a member of a college or university rifle team, within the scope of such person's duties as a member of the team, (e) firearms which may lawfully be possessed by a person employed by a college or university in this state as part of an agriculture or a natural resources program of such college or university, within the scope of such person's employment, (f) firearms contained within a private vehicle operated by a nonstudent adult which are not loaded and (i) are encased or (ii) are in a locked firearm rack that is on a motor vehicle, or (g) a handgun carried as a concealed handgun by a valid holder of a permit issued under the Concealed Handgun Permit Act in a vehicle or on his or her person while riding in or on a vehicle into or onto any parking area, which is open to the public and used by a school if, prior to exiting the vehicle, the handgun is locked inside the glove box, trunk, or other compartment of the vehicle, a storage box securely attached to the vehicle, or, if the vehicle is a motorcycle, a hardened compartment securely attached to the motorcycle while the vehicle is in or on such parking area, except as prohibited by federal law. For purposes of this subsection, encased means enclosed in a case that is expressly made for the purpose of containing a firearm and that is completely zipped, snapped, buckled, tied, or otherwise fastened with no part of the firearm exposed.

(2) Any firearm possessed in violation of subsection (1) of this section shall be confiscated without warrant by a peace officer or may be confiscated without warrant by school administrative or teaching personnel. Any firearm confiscated by school administrative or teaching personnel shall be delivered to a peace officer as soon as practicable.

(3) Any firearm confiscated by or given to a peace officer pursuant to subsection (2) of this section shall be declared a common nuisance and shall be held by the peace officer prior to his or her delivery of the firearm to the property division of the law enforcement agency which employs the peace officer. The property division of such law enforcement agency shall hold such firearm for as long as the firearm is needed as evidence. After the firearm is no longer needed as evidence, it shall be destroyed in such manner as the court may direct.

(4) Whenever a firearm is confiscated and held pursuant to this section or section 28-1204.02, the peace officer who received such firearm shall cause to be filed within ten days after the confiscation a petition for destruction of such firearm. The petition shall be filed in the district court of the county in which the confiscation is made. The petition shall describe the firearm held, state the name of the owner, if known, allege the essential elements of the violation which caused the confiscation, and conclude with a prayer for disposition and destruction in such manner as the court may direct. At any time after the confiscation of the firearm and prior to court disposition, the owner of the firearm seized may petition the district court of the county in which the confiscation was made for possession of the firearm. The court shall release the firearm to such owner only if the claim of ownership can reasonably be shown to be true and either (a) the owner of the firearm can show that the firearm was taken from his or her property or place of business unlawfully or without the knowledge and consent of the owner and that such property or place of business is different from that of the person from whom the firearm was confiscated or (b) the owner of the firearm is acquitted of the charge of unlawful possession of a handgun in violation of section 28-1204, unlawful transfer of a firearm to a juvenile, or unlawful possession of a firearm at a school. No firearm having significant antique value or historical significance as determined by the Nebraska State Historical Society shall be destroyed. If a firearm has significant antique value or historical significance, it shall be sold at auction and the proceeds shall be remitted to the State Treasurer for distribution in accordance with Article VII, section 5, of the Constitution of Nebraska.

28-1205. Use of a deadly weapon to commit a felony; possession of a deadly weapon during the commission of a felony; penalty; separate and distinct offense; proof of possession.

**(1)(a)** Any person who uses a firearm, a knife, brass or iron knuckles, or any other deadly weapon to commit any felony which may be prosecuted in a court of this state commits the offense of use of a deadly weapon to commit a felony.

**(b)** Use of a deadly weapon, other than a firearm, to commit a felony is a Class II felony.

**(c)** Use of a deadly weapon, which is a firearm, to commit a felony is a Class IC felony.

**(2)(a)** Any person who possesses a firearm, a knife, brass or iron knuckles, or a destructive device during the commission of any felony which may be prosecuted in a court of this state commits the offense of possession of a deadly weapon during the commission of a felony.

**(b)** Possession of a deadly weapon, other than a firearm, during the commission of a felony is a Class III felony.

**(c)** Possession of a deadly weapon, which is a firearm, during the commission of a felony is a Class II felony.

**(3)** The crimes defined in this section shall be treated as separate and distinct offenses from the felony being committed, and sentences imposed under this section shall be consecutive to any other sentence imposed.

**(4)** Possession of a deadly weapon may be proved through evidence demonstrating either actual or constructive possession of a firearm, a knife, brass or iron knuckles, or a destructive device during, immediately prior to, or immediately after the commission of a felony.

**(5)** For purposes of this section:

**(a)** Destructive device has the same meaning as in section 28-1213; and

**(b)** Use of a deadly weapon includes the discharge, employment, or visible display of any part of a firearm, a knife, brass or iron knuckles, any other deadly weapon, or a destructive device during, immediately prior to, or immediately after the commission of a felony or communication to another indicating the presence of a firearm, a knife, brass or iron knuckles, any other deadly weapon, or a destructive device during, immediately prior to, or immediately after the commission of a felony, regardless of whether such firearm, knife,

brass or iron knuckles, deadly weapon, or destructive device was discharged, actively employed, or displayed.

28-1206. Possession of a deadly weapon by a prohibited person; penalty.

**(1)(a)** Any person who possesses a firearm, a knife, or brass or iron knuckles and who has previously been convicted of a felony, who is a fugitive from justice, or who is the subject of a current and validly issued domestic violence protection order and is knowingly violating such order, or **(b)** any person who possesses a firearm or brass or iron knuckles and who has been convicted within the past seven years of a misdemeanor crime of domestic violence, commits the offense of possession of a deadly weapon by a prohibited person.

**(2)** The felony conviction may have been had in any court in the United States, the several states, territories, or possessions, or the District of Columbia.

**(3)(a)** Possession of a deadly weapon which is not a firearm by a prohibited person is a Class III felony.

**(b)** Possession of a deadly weapon which is a firearm by a prohibited person is a Class ID felony for a first offense and a Class IB felony for a second or subsequent offense.

**(4)(a)(i)** For purposes of this section, misdemeanor crime of domestic violence means:

**(A)(I)** A crime that is classified as a misdemeanor under the laws of the United States or the District of Columbia or the laws of any state, territory, possession, or tribe;

**(II)** A crime that has, as an element, the use or attempted use of physical force or the threatened use of a deadly weapon; and

**(III)** A crime that is committed by another against his or her spouse, his or her former spouse, a person with whom he or she has a child in common whether or not they have been married or lived together at any time, or a person with whom he or she is or was involved in a dating relationship as defined in section 28-323; or

**(B)(I)** Assault in the third degree under section 28-310, stalking under subsection (1) of section 28-311.04, false imprisonment in the second degree under section 28-315, or first offense domestic assault in the third degree under subsection (1) of section 28-323 or any attempt or conspiracy to commit one of these offenses; and

**(II)** The crime is committed by another against his or her spouse, his or her former spouse, a person with whom he or she has a child in common whether or not they have been married or lived together at

any time, or a person with whom he or she is or was involved in a dating relationship as defined in section 28-323.

(ii) A person shall not be considered to have been convicted of a misdemeanor crime of domestic violence unless:

(A) The person was represented by counsel in the case or knowingly and intelligently waived the right to counsel in the case; and

(B) In the case of a prosecution for a misdemeanor crime of domestic violence for which a person was entitled to a jury trial in the jurisdiction in which the case was tried, either:

(I) The case was tried to a jury; or

(II) The person knowingly and intelligently waived the right to have the case tried to a jury.

(b) For purposes of this section, subject of a current and validly issued domestic violence protection order pertains to a current court order that was validly issued pursuant to section 28-311.09 or 42-924 or that meets or exceeds the criteria set forth in section 28-311.10 regarding protection orders issued by a court in any other state or a territory, possession, or tribe.

28-1207. Possession of a defaced firearm; penalty.

(1) Any person who knowingly possesses, receives, sells, or leases, other than by delivery to law enforcement officials, any firearm from which the manufacturer's identification mark or serial number has been removed, defaced, altered, or destroyed, commits the offense of possession of a defaced firearm.

(2) Possession of a defaced firearm is a Class III felony.

28-1208. Defacing a firearm; penalty.

(1) Any person who intentionally removes, defaces, covers, alters, or destroys the manufacturer's identification mark or serial number or other distinguishing numbers on any firearm commits the offense of defacing a firearm.

(2) Defacing a firearm is a Class III felony.

28-1209. Failure to register tranquilizer guns; penalty.

(1) Any person who fails or neglects to register any gun or other device designed, adapted or used for projecting darts or other missiles containing tranquilizers or other chemicals or compounds which will produce unconsciousness or temporary disability in live animals, with the county sheriff of the county in which the owner of the gun or device resides, commits the offense of failure to register tranquilizer guns.

(2) Failure to register tranquilizer guns is a Class III misdemeanor.

28-1210. Failure to notify the sheriff of the sale of tranquilizer guns; penalty; record.

(1) Any person, partnership, limited liability company, or corporation selling any gun or other device as described in section 28-1209 which fails to immediately notify the sheriff of the county of the sale and giving the name and address of the purchaser thereof and the make and number of the gun or device commits the offense of failure to notify the sheriff of the sale of tranquilizer guns.

(2) The sheriff shall keep a record of such sale with the information furnished pursuant to this section.

(3) Failure to notify the sheriff of the sale of tranquilizer guns is a Class III misdemeanor.

28-1212. Presence of firearm in motor vehicle; prima facie evidence.

The presence in a motor vehicle other than a public vehicle of any firearm or instrument referred to in section 28-1203, 28-1206, 28-1207, or 28-1212.03 shall be prima facie evidence that it is in the possession of and is carried by all persons occupying such motor vehicle at the time such firearm or instrument is found, except that this section shall not be applicable if such firearm or instrument is found upon the person of one of the occupants therein.

28-1212.01. Unlawful discharge of firearm; terms, defined.

For purposes of sections 28-1212.02 and 28-1212.04:

(1) Aircraft means any contrivance intended for and capable of transporting persons through the airspace;

(2) Inhabited means currently being used for dwelling purposes; and

(3) Occupied means that a person is physically present in a building, motor vehicle, or aircraft.

28-1212.02. Unlawful discharge of firearm; penalty.

Any person who unlawfully and intentionally discharges a firearm at an inhabited dwelling house, occupied building, occupied motor vehicle, occupied aircraft, inhabited motor home as defined in section 71-4603, or inhabited camper unit as defined in section 60-1801 shall be guilty of a Class ID felony.

**B. Snowmobiles – 60-6,342 to 60-6,344**

**60-6,342. Snowmobiles; carrying firearms; hunting; unlawful.**

It shall be unlawful for any person to shoot, take, hunt, or kill or attempt to shoot, take, hunt, or kill any wild animal or bird from or with a snowmobile or for any person to carry or possess any shotgun or rimfire rifle while operating or riding on a snowmobile, or for any person to carry or possess any firearm, bow and arrow, or other projectile device on a snowmobile unless such bow and arrow or projectile device is enclosed in a carrying case or such firearm is unloaded and enclosed in a carrying case.

**60-6,343. Snowmobiles: violations: penalty.**

(1) Any person who violates any provision of sections 60-6,320 to 60-6,346 or any rule or regulation promulgated pursuant to such sections shall be guilty of a Class III misdemeanor, and if such person is convicted of a second or subsequent offense within any period of one year, he or she shall be guilty of a Class II misdemeanor.

(2) Any violation of such sections which is also a violation under any other provision of Chapter 60 may be punished under the penalty provisions thereof.

**60-6,344. Snowmobile owner; prohibited acts.**

It shall be unlawful for the owner of a snowmobile to permit such snowmobile to be operated contrary to the provisions of sections 60-6,320 to 60-6,346 or for purposes of carrying a shotgun or rifle thereon unless such shotgun or rifle is unloaded and encased.

**C. Handgun Purchase Permits – 69-2401 to 69-2426**

**69-2401. Legislative findings and declarations.**

The Legislature hereby finds and declares that the state has a valid interest in the regulation of the purchase, lease, rental, and transfer of handguns and that requiring a certificate prior to the purchase, lease, rental, or transfer of a handgun serves a valid public purpose.

**69-2403. Sale, lease, rental, and transfer: certificate required; exceptions.**

(1) Except as provided in this section and section 69-2409, a person shall not purchase, lease, rent, or receive transfer of a handgun until he or she has obtained a certificate in accordance with section 69-2404. Except as provided in this section and section 69-2409, a person shall

not sell, lease, rent, or transfer a handgun to a person who has not obtained a certificate.

(2) The certificate shall not be required if:

- (a) The person acquiring the handgun is a licensed firearms dealer under federal law;
- (b) The handgun is an antique handgun;
- (c) The person acquiring the handgun is authorized to do so on behalf of a law enforcement agency;
- (d) The transfer is a temporary transfer of a handgun and the transferee remains (i) in the line of sight of the transferor or (ii) within the premises of an established shooting facility;
- (e) The transfer is between a person and his or her spouse, sibling, parent, child, aunt, uncle, niece, nephew, or grandparent;
- (f) The person acquiring the handgun is a holder of a valid permit under the Concealed Handgun Permit Act; or
- (g) The person acquiring the handgun is a peace officer as defined in section 69-2429.

### 69-2404. Certificate; application; fee.

Any person desiring to purchase, lease, rent, or receive transfer of a handgun shall apply with the chief of police or sheriff of the applicant's place of residence for a certificate. The application may be made in person or by mail. The application form and certificate shall be made on forms approved by the Superintendent of Law Enforcement and Public Safety. The application shall include the applicant's full name, address, date of birth, and country of citizenship. If the applicant is not a United States citizen, the application shall include the applicant's place of birth and his or her alien or admission number. If the application is made in person, the applicant shall also present a current Nebraska motor vehicle operator's license, state identification card, or military identification card, or if the application is made by mail, the application form shall describe the license or card used for identification and be notarized by a notary public who has verified the identification of the applicant through such a license or card. An applicant shall receive a certificate if he or she is twenty-one years of age or older and is not prohibited from purchasing or possessing a handgun by 18 U.S.C. 922. A fee of five dollars shall be charged for each application for a certificate to cover the cost of a criminal history record check.

### 69-2405. Application; chief of police or sheriff; duties; immunity.

Upon the receipt of an application for a certificate, the chief of police or sheriff shall issue a certificate or deny a certificate and furnish the applicant the specific reasons for the denial in writing. The chief of

police or sheriff shall be permitted up to three days in which to conduct an investigation to determine whether the applicant is prohibited by law from purchasing or possessing a handgun. If the certificate or denial is mailed to the applicant, it shall be mailed to the applicant's address by first-class mail within the three-day period. If it is determined that the purchase or possession of a handgun by the applicant would be in violation of applicable federal, state, or local law, the chief of police or sheriff shall deny the certificate. In computing the three-day period, the day of receipt of the application shall not be included and the last day of the three-day period shall be included. The three-day period shall expire at 11:59 p.m. of the third day unless it is a Saturday, Sunday, or legal holiday in which event the period shall run until 11:59 p.m. of the next day which is not a Saturday, Sunday, or legal holiday. No later than the end of the three-day period the chief of police or sheriff shall issue or deny such certificate and, if the certificate is denied, furnish the applicant the specific reasons for denial in writing. No civil liability shall arise to any law enforcement agency if such law enforcement agency complies with sections 69-2401, 69-2403 to 69-2408, and 69-2409.01.

69-2406. Certificate; denial or revocation; appeal; filing fee.

Any person who is denied a certificate, whose certificate is revoked, or who has not been issued a certificate upon expiration of the three-day period may appeal within ten days of receipt of the denial or revocation to the county court of the county of the applicant's place of residence. The applicant shall file with the court the specific reasons for the denial or revocation by the chief of police or sheriff and a filing fee of ten dollars in lieu of any other filing fee required by law. The court shall issue its decision within thirty days of the filing of the appeal.

69-2407. Certificate; contents; term; revocation.

A certificate issued in accordance with section 69-2404 shall contain the holder's name, address, and date of birth and the effective date of the certificate. A certificate shall authorize the holder to acquire any number of handguns during the period that the certificate is valid. The certificate shall be valid throughout the state and shall become invalid three years after its effective date. If the chief of police or sheriff who issued the certificate determines that the applicant has become disqualified for the certificate under section 69-2404, he or she may immediately revoke the certificate and require the holder to surrender the certificate immediately. Revocation may be appealed pursuant to section 69-2406.

69-2408. False information on application; other violations; penalties; confiscation of handgun.

Any person who willfully provides false information on an application form for a certificate under section 69-2404 shall, upon conviction, be guilty of a Class IV felony, and any person who intentionally violates any other provision of sections 69-2401, 69-2403 to 69-2407, and 69-2409.01 shall, upon conviction, be guilty of a Class I misdemeanor. As a part of the judgment of conviction, the court may order the confiscation of the handgun.

69-2409. Automated criminal history files; legislative intent; system implementation; Nebraska State Patrol; superintendent; duties; purchase, lease, rental, or transfer; election.

(1) It is the intent of the Legislature that the Nebraska State Patrol implement an expedited program of upgrading Nebraska's automated criminal history files to be utilized for, among other law enforcement purposes, an instant criminal history record check on handgun purchasers when buying a handgun from a licensed importer, manufacturer, or dealer so that such instant criminal history record check may be implemented as soon as possible on or after January 1, 1995.

(2) The patrol's automated arrest and conviction records shall be reviewed annually by the Superintendent of Law Enforcement and Public Safety who shall report the status of such records within thirty days of such review to the Governor and the Clerk of the Legislature. The report submitted to the Clerk of the Legislature shall be submitted electronically. The instant criminal history record check system shall be implemented by the patrol on or after January 1, 1995, when, as determined by the Superintendent of Law Enforcement and Public Safety, eighty-five percent of the Nebraska arrest and conviction records since January 1, 1965, available to the patrol are included in the patrol's automated system. Not less than thirty days prior to implementation and enforcement of the instant check system, the patrol shall send written notice to all licensed importers, manufacturers, and dealers outlining the procedures and toll-free number described in sections 69-2410 to 69-2423.

(3) Upon implementation of the instant criminal history record check system, a person who desires to purchase, lease, rent, or receive transfer of a handgun from a licensed importer, manufacturer, or dealer may elect to obtain such handgun either under sections 69-2401, 69-2403 to 69-2408, and 69-2409.01 or under sections 69-2409.01 and 69-2410 to 69-2423.

69-2409.01. Data base; created; disclosure; limitation; liability; prohibited act; violation; penalty.

(1) For purposes of sections 69-2401 to 69-2425, the Nebraska State Patrol shall be furnished with only such information as may be necessary for the sole purpose of determining whether an individual is disqualified from purchasing or possessing a handgun pursuant to state law or is subject to the disability provisions of 18 U.S.C. 922(d)(4) and (g)(4). Such information shall be furnished by the Department of Health and Human Services. The clerks of the various courts shall furnish to the Department of Health and Human Services and Nebraska State Patrol, as soon as practicable but within thirty days after an order of commitment or discharge is issued or after removal of firearm-related disabilities pursuant to section 71-963, all information necessary to set up and maintain the data base required by this section. This information shall include (a) information regarding those persons who are currently receiving mental health treatment pursuant to a commitment order of a mental health board or who have been discharged, (b) information regarding those persons who have been committed to treatment pursuant to section 29-3702, and (c) information regarding those persons who have had firearm-related disabilities removed pursuant to section 71-963. The mental health board shall notify the Department of Health and Human Services and the Nebraska State Patrol when such disabilities have been removed. The Department of Health and Human Services shall also maintain in the data base a listing of persons committed to treatment pursuant to section 29-3702. To ensure the accuracy of the data base, any information maintained or disclosed under this subsection shall be updated, corrected, modified, or removed, as appropriate, and as soon as practicable, from any data base that the state or federal government maintains and makes available to the National Instant Criminal Background Check System. The procedures for furnishing the information shall guarantee that no information is released beyond what is necessary for purposes of this section.

(2) In order to comply with sections 69-2401 and 69-2403 to 69-2408 and this section, the Nebraska State Patrol shall provide to the chief of police or sheriff of an applicant's place of residence or a licensee in the process of a criminal history record check pursuant to section 69-2411 only the information regarding whether or not the applicant is disqualified from purchasing or possessing a handgun.

(3) Any person, agency, or mental health board participating in good faith in the reporting or disclosure of records and communications under this section is immune from any liability, civil, criminal, or otherwise, that might result by reason of the action.

(4) Any person who intentionally causes the Nebraska State Patrol to request information pursuant to this section without reasonable belief that the named individual has submitted a written application under section 69-2404 or has completed a consent form under section 69-2410 shall be guilty of a Class II misdemeanor in addition to other civil or criminal liability under state or federal law.

69-2410. Importer, manufacturer, or dealer; sale or delivery; duties.

No importer, manufacturer, or dealer licensed pursuant to 18 U.S.C. 923 shall sell or deliver any handgun to another person other than a licensed importer, manufacturer, dealer, or collector until he or she has:

(1)(a) Inspected a valid certificate issued to such person pursuant to sections 69-2401, 69-2403 to 69-2408, and 69-2409.01; and  
(b) Inspected a valid identification containing a photograph of such person which appropriately and completely identifies such person; or

(2)(a) Obtained a completed consent form from the potential buyer or transferee, which form shall be established by the Nebraska State Patrol and provided by the licensed importer, manufacturer, or dealer. The form shall include the name, address, date of birth, gender, race, and country of citizenship of such potential buyer or transferee. If the potential buyer or transferee is not a United States citizen, the completed consent form shall contain the potential buyer's or transferee's place of birth and his or her alien or admission number;

(b) Inspected a valid identification containing a photograph of the potential buyer or transferee which appropriately and completely identifies such person;

(c) Requested by toll-free telephone call or other electromagnetic communication that the Nebraska State Patrol conduct a criminal history record check; and

(d) Received a unique approval number for such inquiry from the Nebraska State Patrol indicating the date and number on the consent form.

69-2411. Request for criminal history record check; Nebraska State Patrol; duties; fee.

(1) Upon receipt of a request for a criminal history record check, the Nebraska State Patrol shall as soon as possible during the licensee's telephone call or by return telephone call:

(a) Check its criminal history records and check the Federal Bureau of Investigation's National Instant Criminal Background Check System to determine if the potential buyer or transferee is prohibited from receipt or possession of a handgun pursuant to state or federal law; and

(b) Either (i) inform the licensee that its records demonstrate that the potential buyer or transferee is prohibited from receipt or possession of a handgun or (ii) provide the licensee with a unique approval number.

(2) In the event of electronic failure or similar emergency beyond the control of the Nebraska State Patrol, the patrol shall immediately notify a requesting licensee of the reason for and estimated length of such delay. In any event, no later than the end of the next business day the Nebraska State Patrol shall either (a) inform the licensee that its records demonstrate that the potential buyer or transferee is prohibited from receipt or possession of a handgun or (b) provide the licensee with a unique approval number. If the licensee is not informed by the end of the next business day that the potential buyer is prohibited from receipt or possession of a handgun, and regardless of whether the unique approval number has been received, the licensee may complete the sale or delivery and shall not be deemed to be in violation of sections 69-2410 to 69-2423 with respect to such sale or delivery.

(3) A fee of three dollars shall be charged for each request of a criminal history record check required pursuant to section 69-2410, which amount shall be transmitted monthly to the Nebraska State Patrol. Such amount shall be for the purpose of covering the costs of the criminal history record check.

### 69-2412. Records; confidentiality; destruction.

(1) Any records which are created by the Nebraska State Patrol to conduct the criminal history record check containing any of the information set forth in subdivision (2)(a) of section 69-2410 pertaining to a potential buyer or transferee who is not prohibited from receipt or transfer of a handgun by reason of state or federal law shall be confidential and may not be disclosed by the patrol or any officer or employee thereof to any person. The Nebraska State Patrol shall destroy any such records as soon as possible after communicating the unique approval number, and in any event, such records shall be destroyed within forty-eight hours after the date of receipt of the licensee's request.

(2) Notwithstanding the provisions of this section, the Nebraska State Patrol shall only maintain a log of dates of requests for criminal history record checks and unique approval numbers corresponding to such dates for not to exceed one year.

(3) Nothing in this section shall be construed to allow the state to maintain records containing the names of licensees who receive unique approval numbers or to maintain records of handgun transactions,

including the names or other identification of licensees and potential buyers or transferees including persons not otherwise prohibited by law from the receipt or possession of handguns.

### 69-2413. Nebraska State Patrol; toll-free telephone number; personnel.

The Nebraska State Patrol shall establish a toll-free telephone number which shall be operational seven days a week between 8 a.m. and 10 p.m. for purposes of responding to requests under section 69-2410. The Nebraska State Patrol shall employ and train such personnel as is necessary to expeditiously administer the provisions of sections 69-2410 to 69-2423.

### 69-2414. Records; amendment; procedure.

Any person who is denied the right to purchase or receive a handgun as a result of procedures established by sections 69-2410 to 69-2423 may request amendment of the record pertaining to him or her by petitioning the Nebraska State Patrol. If the Nebraska State Patrol fails to amend the record within seven days, the person requesting the amendment may petition the county court of the county in which he or she resides for an order directing the patrol to amend the record. If the person proves by a preponderance of the evidence that the record should be amended, the court shall order the record be amended. If the record demonstrates that such person is not prohibited from receipt or possession of a handgun by state or federal law, the Nebraska State Patrol shall destroy any records it maintains which contain any information derived from the criminal history record check.

### 69-2415. Records; rules and regulations.

The Nebraska State Patrol shall adopt and promulgate rules and regulations to ensure the identity, confidentiality, and security of all records and data provided pursuant to sections 69-2410 to 69-2423.

### 69-2416. Licensed importer, manufacturer, or dealer; compliance not required; when.

A licensed importer, manufacturer, or dealer shall not be required to comply with the provisions of subdivision (2) of section 69-2410 and sections 69-2411 to 69-2423 in the event of:

(1) Unavailability of telephone service at the licensed premises due to (a) the failure of the entity which provides telephone service in the state, region, or other geographical area in which the licensee is located to provide telephone service to the premises due to the location of such premises or (b) the interruption of telephone service by reason of hurricane, flood, natural disaster, other act of God, war, riot, or other bona fide emergency or reason beyond the control of the licensee; or

(2) Failure of the Nebraska State Patrol to comply reasonably with the requirements of sections 69-2410 to 69-2423.

69-2417. Nebraska State Patrol; licensee; liability defense; when.  
Compliance with sections 69-2410 to 69-2423 shall be a defense by the Nebraska State Patrol and the licensee transferring a handgun in any cause of action under the laws of this state for liability for damages arising from the importation or manufacture, or the subsequent sale or transfer, of any handgun which has been shipped or transported in interstate or foreign commerce to any person who has been convicted in any court of any crime punishable by a term of more than one year.

69-2418. Instant criminal history record check; requirements; exemptions.

Sections 69-2410 to 69-2423 shall not apply to:

- (1) Any antique handgun or pistol; or
- (2) Any firearm which is a curio or relic as defined in 27 C.F.R. 478.11.

69-2419. Criminal history records; prohibited acts; violation; penalty.  
Any licensed importer, manufacturer, or dealer who knowingly and intentionally requests a criminal history record check from the Nebraska State Patrol for any purpose other than compliance with sections 69-2410 to 69-2423 or knowingly and intentionally disseminates any criminal history record check information to any person other than the subject of such information shall be guilty of a Class I misdemeanor.

69-2420. False statement; false identification; prohibited acts; violation; penalty.

Any person who, in connection with the purchase, transfer, or attempted purchase of a handgun pursuant to sections 69-2410 to 69-2423, knowingly and intentionally makes any materially false oral or written statement or knowingly and intentionally furnishes any false identification intended or likely to deceive the licensee shall be guilty of a Class IV felony.

69-2421. Sale or delivery; violation; penalty.

Any licensed importer, manufacturer, or dealer who knowingly and intentionally sells or delivers a handgun in violation of sections 69-2401 to 69-2425 shall be guilty of a Class IV felony.

69-2422. Obtaining handgun for prohibited transfer; violation; penalty.  
For purposes of sections 69-2401 to 69-2425, any person who knowingly and intentionally obtains a handgun for the purposes of transferring it to a person who is prohibited from receipt or possession of a handgun by state or federal law shall be guilty of a Class IV felony.

69-2423. Nebraska State Patrol; annual report; contents.  
The Nebraska State Patrol shall provide electronically an annual report to the Judiciary Committee of the Legislature which includes the number of inquiries made pursuant to sections 69-2410 to 69-2423 for the prior calendar year, the number of such inquiries resulting in a determination that the potential buyer or transferee was prohibited from receipt or possession of a handgun pursuant to state or federal law, the estimated costs of administering such sections, the number of instances in which a person requested amendment of the record pertaining to such person pursuant to section 69-2414, and the number of instances in which a county court issued an order directing the patrol to amend a record.

69-2424. Rules and regulations.  
The Nebraska State Patrol shall adopt and promulgate rules and regulations to carry out sections 69-2401 to 69-2425.

69-2425. City or village ordinance; not preempted.  
Any city or village ordinance existing on September 6, 1991, shall not be preempted by sections 69-2401 to 69-2425.

69-2426. Dealers of firearms; distribution of information; Firearm Information Fund; created.  
(1) Dealers of firearms shall distribute to all purchasers information developed by the Department of Health and Human Services regarding the dangers of leaving loaded firearms unattended around children.

(2) There is hereby created the Firearm Information Fund. Private contributions shall be credited by the State Treasurer to such fund for the implementation of the provisions of this section.

69-2427. Act, how cited.  
Sections 69-2427 to 69-2449 shall be known and may be cited as the Concealed Handgun Permit Act.

69-2428. Permit to carry concealed handgun; authorized.

An individual may obtain a permit to carry a concealed handgun in accordance with the Concealed Handgun Permit Act.

69-2430. Application; form; contents; prohibited acts; penalty; permit issuance; denial; appeal.

*See below in Section E (Required documents - DL or ID card and CCW Permit).*

69-2431. Fingerprinting; criminal history record information check. In order to insure an applicant's initial compliance with sections 69-2430 and 69-2433, the applicant for a permit to carry a concealed handgun shall be fingerprinted by the Nebraska State Patrol and a check made of his or her criminal history record information maintained by the Federal Bureau of Investigation through the Nebraska State Patrol. In order to insure continuing compliance with sections 69-2430 and 69-2433 and compliance for renewal pursuant to section 69-2436, a check shall be made of a permit holder's criminal history record information through the National Instant Criminal Background Check System.

69-2432. Nebraska State Patrol; handgun training and safety courses and instructors; duties; certificate of completion of course; fee.

(1) The Nebraska State Patrol shall prepare and publish minimum training and safety requirements for and adopt and promulgate rules and regulations governing handgun training and safety courses and handgun training and safety course instructors. Minimum safety and training requirements for a handgun training and safety course shall include, but not be limited to:

- (a) Knowledge and safe handling of a handgun;
- (b) Knowledge and safe handling of handgun ammunition;
- (c) Safe handgun shooting fundamentals;
- (d) A demonstration of competency with a handgun with respect to the minimum safety and training requirements;
- (e) Knowledge of federal, state, and local laws pertaining to the purchase, ownership, transportation, and possession of handguns;
- (f) Knowledge of federal, state, and local laws pertaining to the use of a handgun, including, but not limited to, use of a handgun for self-defense and laws relating to justifiable homicide and the various degrees of assault;
- (g) Knowledge of ways to avoid a criminal attack and to defuse or control a violent confrontation; and

(h) Knowledge of proper storage practices for handguns and ammunition, including storage practices which would reduce the possibility of accidental injury to a child.

(2) A person or entity conducting a handgun training and safety course and the course instructors shall be approved by the patrol before operation. The patrol shall issue a certificate evidencing its approval.

(3) A certificate of completion of a handgun training and safety course shall be issued by the person or entity conducting a handgun training and safety course to persons successfully completing the course. The certificate of completion shall also include certification from the instructor that the person completing the course does not suffer from a readily discernible physical infirmity that prevents the person from safely handling a handgun.

(4) Any fee for participation in a handgun training and safety course is the responsibility of the applicant.

### 69-2433. Applicant: requirements.

An applicant shall:

(1) Be at least twenty-one years of age;

(2) Not be prohibited from purchasing or possessing a handgun by 18 U.S.C. 922, as such section existed on January 1, 2005;

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

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

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

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

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

(b) If an applicant is a member of the United States Armed Forces, such applicant shall be considered a resident of this state for purposes of this section after he or she has been stationed at a military installation in this state pursuant to permanent duty station orders even though he or she maintains a residence in another state and claims that residence for voting or tax purposes; or

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

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

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

(10) Be a citizen of the United States; and

(11) Provide proof of training.

69-2434. Permit; design and form.

The design and form of the permit to carry a concealed handgun shall be prescribed by the Nebraska State Patrol. The permit shall list the permit holder's name, the permit holder's address, and the expiration date of the permit and contain a photograph of the permit holder.

69-2435. Permit holder; continuing requirements; return of permit; when.

A permit holder shall continue to meet the requirements of section 69-2433 during the time he or she holds the permit, except as provided in subsection (4) of section 69-2443. If, during such time, a permit holder does not continue to meet one or more of the requirements, the permit holder shall return his or her permit to the Nebraska State Patrol for revocation. If a permit holder does not return his or her permit, the permit holder is subject to having his or her permit revoked under section 69-2439.

69-2436. Permit; period valid; fee; renewal; fee.

(1) A permit to carry a concealed handgun is valid throughout the state for a period of five years after the date of issuance. The fee for issuing a permit is one hundred dollars.

**(2) The Nebraska State Patrol shall renew a permit holder's permit to carry a concealed handgun for a renewal period of five years, subject to continuing compliance with the requirements of section 69-2433, except as provided in subsection (4) of section 69-2443. The renewal fee is fifty dollars, and renewal may be applied for no earlier than four months before expiration of the permit and no later than thirty business days after the date of expiration of the permit. At least four months before expiration of a permit to carry a concealed handgun, the Nebraska State Patrol shall send to the permit holder by United States mail or electronically notice of expiration of the permit.**

(3) The applicant shall submit the fee with the application to the Nebraska State Patrol. The fee shall be remitted to the State Treasurer for credit to the Nebraska State Patrol Cash Fund.

69-2437. Permit; nontransferable.

A permit to carry a concealed handgun shall be issued to a specific individual only and shall not be transferred from one person to another.

69-2438. Limitation on liability.

The Nebraska State Patrol or any agent, employee, or member thereof is not civilly liable to any injured person or his or her estate for any injury suffered, including any action for wrongful death or property damage suffered, relating to the issuance or revocation of a permit to carry a concealed handgun issued pursuant to the Concealed Handgun Permit Act.

69-2439. Permit; application for revocation; prosecution; fine; costs.

(1) Any peace officer having probable cause to believe that a permit holder is no longer in compliance with one or more requirements of section 69-2433, except as provided in subsection (4) of section 69-2443, shall bring an application for revocation of the permit to be prosecuted as provided in subsection (2) of this section.

(2) It is the duty of the county attorney or his or her deputy of the county in which such permit holder resides to prosecute a case for the revocation of a permit to carry a concealed handgun brought pursuant to subsection (1) of this section. In case the county attorney refuses or is unable to prosecute the case, the duty to prosecute shall be upon the Attorney General or his or her assistant.

(3) The case shall be prosecuted as a civil case, and the permit shall be revoked upon a showing by a preponderance of the evidence that the permit holder does not meet one or more of the requirements of section 69-2433, except as provided in subsection (4) of section 69-2443.

(4) A person who has his or her permit revoked under this section may be fined up to one thousand dollars and shall be charged with the costs of the prosecution. The money collected under this subsection as an administrative fine shall be remitted to the State Treasurer for distribution in accordance with Article VII, section 5, of the Constitution of Nebraska.

69-2440. Permit holder; duties; contact with peace officer or emergency services personnel; procedures for securing handgun.

*See below in Section D (69-2440 Procedures for contact with Law Enforcement Officers and Emergency Medical Services personnel).*

69-2441. Permit holder; locations; restrictions; posting of prohibition; consumption of alcohol; prohibited.

*See below in Section F (69-2441 Locations CCW are not allowed).*

69-2442. Injury to person or damage to property; permit holder; report required.

Any time the discharge of a handgun carried by a permit holder pursuant to the Concealed Handgun Permit Act results in injury to a person or damage to property, the permit holder shall make a report of such incident to the Nebraska State Patrol on a form designed and distributed by the Nebraska State Patrol. The information from the report shall be maintained as provided in section 69-2444.

**This needs to be reported within 10 days of the incident.**

69-2443. Violations; penalties; revocation of permit.

(1) A permit holder who violates subsection (1) or (2) of section 69-2440 or section 69-2441 or 69-2442 is guilty of a Class III misdemeanor for the first violation and a Class I misdemeanor for any second or subsequent violation.

(2) A permit holder who violates subsection (3) of section 69-2440 is guilty of a Class I misdemeanor.

(3) A permit holder convicted of a violation of section 69-2440 or 69-2442 may also have his or her permit revoked.

(4) A permit holder convicted of a violation of section 69-2441 that occurred on property owned by the state or any political subdivision of the state may also have his or her permit revoked. A permit holder convicted of a violation of section 69-2441 that did not occur on property owned by the state or any political subdivision of the state shall not have his or her permit revoked for a first offense but may have his or her permit revoked for any second or subsequent offense.

69-2444. Listing of applicants and permit holders; availability; confidential information.

The Nebraska State Patrol shall maintain a listing of all applicants and permit holders and any pertinent information regarding such applicants and permit holders. The information shall be available upon request to all federal, state, and local law enforcement agencies. Information relating to an applicant or to a permit holder received or maintained pursuant to the Concealed Handgun Permit Act by the Nebraska State Patrol or any other law enforcement agency is confidential and shall not be considered a public record within the meaning of sections 84-712 to 84-712.09.

69-2445. Carrying concealed weapon under other law; act; how construed.

Nothing in the Concealed Handgun Permit Act prevents a person from carrying a concealed weapon as permitted under section 28-1202.

69-2446. Rules and regulations.

The Nebraska State Patrol may adopt and promulgate rules and regulations to carry out the Concealed Handgun Permit Act.

69-2447. Department of Motor Vehicles records; use and update of information.

(1) The Department of Motor Vehicles shall modify the existing system of the department to allow the status of a permit to carry a concealed handgun and the dates of issuance and expiration of such permit to be recorded on the permit holder's record provided for in section 60-483. The Nebraska State Patrol shall use the system to record the issuance or renewal of a permit to carry a concealed handgun. The transmission of notice of the issuance or renewal of such permit shall include the applicant's name, the applicant's motor vehicle operator's license number or state identification card number, and the dates of issuance and expiration of the permit to carry a concealed handgun.

(2) An abstract of a court record of every case in which a person's permit to carry a concealed handgun is revoked shall be transmitted to the Department of Motor Vehicles using the abstracting system provided for in section 60-497.01. Such abstract shall contain the name of the revoked permit holder, his or her motor vehicle operator's license number or state identification card number, and the date of revocation of the permit to carry a concealed handgun.

69-2448. License or permit issued by other state or District of Columbia; how treated.

A valid license or permit to carry a concealed handgun issued by any other state or the District of Columbia shall be recognized as valid in this state under the Concealed Handgun Permit Act if (1) the holder of the license or permit is not a resident of Nebraska and (2) the Attorney General has determined that the standards for issuance of such license or permit by such state or the District of Columbia are equal to or greater than the standards imposed by the act. The Attorney General shall maintain and publish a list of such states and the District of Columbia which he or she has determined have standards equal to or greater than the standards imposed by the act.

69-2449. Information to permit holder regarding lost or stolen handgun or firearm.

The Nebraska State Patrol shall inform each permit holder, upon the issuance or renewal of a permit to carry a concealed handgun, that if a handgun, or other firearm, owned by such permit holder is lost or stolen, the permit holder should notify his or her county sheriff or local police department of that fact. **Lost or stolen firearms need to be reported within 10 days.**

**D. Procedures for contact with Law Enforcement Officers and Emergency Medical Services personnel**

69-2440. Permit holder; duties; contact with peace officer or emergency services personnel; procedures for securing handgun.

(1)(a) This section applies to a person who is not otherwise prohibited by state law from possessing or carrying a concealed handgun.

(2) Except as provided in subsection (3) of this section, any time a person is carrying a concealed handgun, such person shall also carry such person's identification document. The person shall display the identification document when asked to do so by a peace officer or by emergency services personnel.

(3) A person is not required to comply with this section if:

(a) Such person is storing or transporting a handgun in a motor vehicle for any lawful purpose or transporting a handgun directly to or from a motor vehicle to or from any place where such handgun may be lawfully possessed or carried by such person; and

(b) Such handgun is unloaded, kept separate from ammunition, and enclosed in a case.

(4) For purposes of this section:

(a) Emergency services personnel means a volunteer or paid firefighter or rescue squad member or a person licensed to provide emergency medical services pursuant to the Emergency Medical Services Practice Act or authorized to provide emergency medical services pursuant to the EMS Personnel Licensure Interstate Compact; and

**(b) Identification document means a valid: Driver's or operator's license, State identification card, Military identification card, Alien registration card or Passport.**

(5) A violation of this section is a Class III misdemeanor for a first offense and a Class I misdemeanor for any second or subsequent offense.

(2) Except as provided in subsection (5) of this section, whenever a person who is carrying a concealed handgun is contacted by a peace officer or by emergency services personnel, the person shall immediately inform the peace officer or emergency services personnel that the person is carrying a concealed handgun.

(3) Except as provided in subsection (5) of this section, during contact with a person carrying a concealed handgun, a peace officer or emergency services personnel may secure the handgun or direct that it be secured during the duration of the contact if the peace officer or emergency services personnel determines that it is necessary for the safety of any person present, including the peace officer or emergency services personnel. The person shall submit to the order to secure the handgun.

(4)(a) When the peace officer has determined that the person is not a threat to the safety of any person present, including the peace officer, and the person has not committed any other violation that would result in his or her arrest, the peace officer shall return the handgun to the person before releasing the person from the scene and breaking contact.

(b) When emergency services personnel have determined that the person is not a threat to the safety of any person present, including emergency services personnel, and if the person is physically and mentally capable of possessing the handgun, the emergency services personnel shall return the handgun to the person before releasing the person from the scene and breaking contact. If the person is transported for treatment to another location, the handgun shall be turned over to any peace officer. The peace officer shall provide a receipt which includes the make, model, caliber, and serial number of the handgun.

(5) A person is not required to comply with subsections (2) and (3) of this section if:

(a) Such person is storing or transporting a handgun in a motor vehicle for any lawful purpose or transporting a handgun directly to or from a motor vehicle to or from any place where such handgun may be lawfully possessed or carried by such person; and

(b) Such handgun is unloaded, kept separate from ammunition, and enclosed in a case.

(6) For purposes of this section:

(a) Contact with a peace officer means any time a peace officer personally stops, detains, questions, or addresses a person for an official purpose or in the course of his or her official duties, and contact with emergency services personnel means any time emergency services personnel provide treatment to a person in the course of their official duties; and

(b) Emergency services personnel has the same meaning as in section 11 of this act.

(7) A violation of:

(a) Subsection (2) of this section is a Class III misdemeanor for a first offense, a Class I misdemeanor for a second offense, and a Class IV felony for a third or subsequent offense; and

(b) Subsection (3) of this section is a Class I misdemeanor.

**Sec. 13. Section 28-1205,**

(3)(a) Any person who carries a firearm or a destructive device during the commission of a dangerous misdemeanor commits the offense of carrying a firearm or destructive device during the commission of a dangerous misdemeanor.

(b) A violation of this subsection is a:

(i) Class I misdemeanor for a first or second offense; and

(ii) A Class IV felony for any third or subsequent offense.

(4) A violation of this section shall be treated as a separate and distinct offense from the underlying crimes being committed, and a sentence imposed under this section shall be consecutive to any other sentence imposed.

(5) Possession of a deadly weapon may be proved through evidence demonstrating either actual or constructive possession of a firearm, a knife, brass or iron knuckles, or a destructive device during, immediately prior to, or immediately after the commission of a felony.

(6) For purposes of this section:

(a) Dangerous misdemeanor means a misdemeanor violation of any of the following offenses:

(i) Stalking under section 28-311.03;

(ii) Knowing violation of a harassment protection order under section 28-311.09;

(iii) Knowing violation of a sexual assault protection order under section 28-311.11;

(iv) Domestic assault under section 28-323;

(v) Assault of an unborn child in the third degree under section 28-399;

(vi) Theft by shoplifting under section 28-511.01;

(vii) Unauthorized use of a propelled vehicle under section 28-516;

(viii) Criminal mischief under section 28-519 if such violation arises from an incident involving the commission of a misdemeanor crime of domestic violence;

(ix) Impersonating a police officer under section 28-610;

(x) Resisting arrest under section 28-904;

(xi) Operating a motor vehicle or vessel to avoid arrest under section 28-905;

(xii) Obstructing a peace officer under section 28-906;

(xiii) Knowing violation of a domestic abuse protection order under section 42-924; or

(xiv) Any attempt under section 28-201 to commit an offense described in subdivisions (6)(a)(i) through (xiii) of this section;

(b) Destructive device has the same meaning as in section 28-1213;

(c) Misdemeanor crime of domestic violence has the same meaning as in section 28-1206; and

(d) Use of a deadly weapon includes the discharge, employment, or visible display of any part of a firearm, a knife, brass or iron knuckles, any other deadly weapon, or a destructive device during, immediately prior to, or immediately after the commission of a felony or deadly weapon under sections 28-1201 to 28-1212.04 and sections 9, 10, 11, and 12 of this act;

### **E. Locations CCW are not allowed**

69-2441. Permitholder; locations; restrictions; posting of prohibition; consumption of alcohol; prohibited.

(1) Except as otherwise provided in this section, a person, other than a minor or a prohibited person may carry a concealed handgun anywhere in Nebraska, with or without a permit under the Concealed Handgun Permit Act.

(2) Except as provided in subsection (10) of this section, a person shall not carry a concealed handgun into or onto any place or premises where the person, persons, entity, or entities in control of the place or premises or employer in control of the place or premises has prohibited the carrying of concealed handguns into or onto the place or premises.

(3) Except as provided in subsection (10) of this section, a person shall not carry a concealed handgun into or onto any: Police, sheriff, or Nebraska State Patrol station or office; detention facility, prison, or jail; courtroom or building

which contains a courtroom; polling place during a bona fide election; meeting of the governing body of a county, public school district, municipality, or other political subdivision; meeting of the Legislature or a committee of the Legislature; financial institution; professional or semi-professional athletic event; building, grounds, vehicle, or sponsored activity or athletic event of any public, private, denominational, or parochial elementary, vocational, or secondary school, a private postsecondary career school as defined in section 85-1603, a community college, or a public or private college, junior college, or university; place of worship; hospital, emergency room, or trauma center; political rally or fundraiser; establishment having a license issued under the Nebraska Liquor Control Act that derives over one-half of its total income from the sale of alcoholic liquor; place where the possession or carrying of a firearm is prohibited by state or federal law; or any other place or premises where handguns are prohibited by statelaw.

(4)(a) A financial institution may authorize its security personnel to carry concealed handguns in the financial institution while on duty so long as each member of the security personnel, as authorized, is not otherwise prohibited by state law from possessing or carrying a concealed handgun and is in compliance with sections 10, 11, and 12 of this act.

(b) A place of worship may authorize its security personnel to carry concealed handguns on its property if:

(i) Each member of the security personnel, as authorized, is not otherwise prohibited by state law from possessing or carrying a concealed handgun and is in compliance with sections 10, 11, and 12 of this act;

(ii) Written notice is given to the congregation; and

(iii) For leased property the carrying of concealed handguns on the property does not violate the terms of any real property lease agreement between the place of worship and the lessor.

(5) If a person, persons, entity, or entities in control of the place or premises or an employer in control of the place or premises prohibits the carrying of concealed handguns into or onto the place or premises and such place or premises are open to the public, a person does not violate this section unless the person, persons, entity, or entities in control of the place or premises or employer in control of the place or premises has posted conspicuous notice that carrying a concealed handgun is prohibited in or on the place or premises or has made a request, directly or through an authorized representative or management personnel, that the person remove the concealed handgun from the place or premises.

(6) A person carrying a concealed handgun in a vehicle or on his or her person while riding in or on a vehicle into or onto any parking area, which is open to the public, used by any location listed in subsection (2) or (3) of this section.

(7) An employer may prohibit employees or other persons from carrying concealed handguns in vehicles owned by the employer.

(8) A violation of this section is a Class III misdemeanor for a first offense and a Class I misdemeanor for any second or subsequent offense.

(9)(a) Except as provided in subdivision (9)(b) of this section, it is an affirmative defense to a violation of subsection (3) of this section that the defendant was engaged in any lawful business, calling, or employment at the time the defendant was carrying a concealed handgun and the circumstances in which the defendant was placed at the time were such as to justify a prudent person in carrying a concealed handgun for the defense of his or her person, property, or family.

(b) The affirmative defense provided for in this subsection:

(i) Does not prevent a prosecution for a violation of section 28-1204.04; and

(ii) Is not available if the defendant refuses to remove the concealed handgun from the place or premises after a person in control of the place or premises has made a request, directly or through an authorized representative or management personnel, that the defendant remove the concealed handgun from the place or premises.

**Sec. 10.** (1) Except as provided in subsections (2), (3), and (4) of this section, a person not otherwise prohibited by state law from possessing or carrying a concealed handgun shall not carry a concealed handgun while such person:

(a) Is consuming alcohol; or

(b) Has remaining in such person's blood, urine, or breath any previously consumed alcohol or any controlled substance as defined in section 28-401.

(2) A person does not violate this section if the controlled substance in such person's blood, urine, or breath was lawfully obtained and was taken in therapeutically prescribed amounts.

(3) A person does not violate this section if:

(a) Such person is storing or transporting a handgun in a motor vehicle for any lawful purpose or transporting a handgun directly to or from a motor vehicle to or from any place where such handgun may be lawfully possessed or carried by such person; and

(b) Such handgun is unloaded, kept separate from ammunition, and enclosed in a case.

(5) A violation of this section is a Class III misdemeanor for a first offense and a Class I misdemeanor for any second or subsequent offense.

**Possession of firearms and dangerous weapons in Federal facilities (18 USC 930)**

**(a)** Except as provided in subsection (d), whoever knowingly possesses or causes to be present a firearm or other dangerous weapon in a Federal facility (other than a Federal court facility), or attempts to do so, shall be fined under this title or imprisoned not more than 1 year, or both.

**(b)** Whoever, with intent that a firearm or other dangerous weapon be used in the commission of a crime, knowingly possesses or causes to be present such firearm or dangerous weapon in a Federal facility, or attempts to do so, shall be fined under this title or imprisoned not more than 5 years, or both.

**(c)** A person who kills any person in the course of a violation of subsection (a) or (b), or in the course of an attack on a Federal facility involving the use of a firearm or other dangerous weapon, or attempts or conspires to do such an act, shall be punished as provided in sections 1111, 1112, 1113, and 1117.

**(d)** Subsection (a) shall not apply to—

(1) the lawful performance of official duties by an officer, agent, or employee of the United States, a State, or a political subdivision thereof, who is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of law;

(2) the possession of a firearm or other dangerous weapon by a Federal official or a member of the Armed Forces if such possession is authorized by law; or

(3) the lawful carrying of firearms or other dangerous weapons in a Federal facility incident to hunting or other lawful purposes.

**(e)** (1) Except as provided in paragraph (2), whoever knowingly possesses or causes to be present a firearm or other dangerous weapon in a Federal court facility, or attempts to do so, shall be fined under this title, imprisoned not more than 2 years, or both.

(2) Paragraph (1) shall not apply to conduct which is described in paragraph (1) or (2) of subsection (d).

**(f)** Nothing in this section limits the power of a court of the United States to punish for contempt or to promulgate rules or orders regulating, restricting, or prohibiting the possession of weapons within any building housing such court or any of its proceedings, or upon any grounds appurtenant to such building.

**(g)** As used in this section:

(1) The term “Federal facility” means a building or part thereof owned or leased by the Federal Government, where Federal employees are regularly present for the purpose of performing their official duties.

(2) The term “dangerous weapon” means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2½ inches in length.

(3) The term “Federal court facility” means the courtroom, judges’ chambers, witness rooms, jury deliberation rooms, attorney conference rooms, prisoner holding cells, offices of the court clerks, the United States attorney, and the United States marshal, probation and parole offices, and adjoining corridors of any court of the United States.

(h) Notice of the provisions of subsections (a) and (b) shall be posted conspicuously at each public entrance to each Federal facility, and notice of subsection (e) shall be posted conspicuously at each public entrance to each Federal court facility, and no person shall be convicted of an offense under subsection (a) or (e) with respect to a Federal facility if such notice is not so posted at such facility, unless such person had actual notice of subsection (a) or (e), as the case may be.

### F. Other Federal Law – Title 18 USC and 27 CFR

1. Acquiring Firearms - The following restrictions apply to firearms acquired through purchase, trade, receipt of gifts, or by other means:

a) From Dealers - Provided that federal law and the laws of both the dealer's and purchaser's states and localities are complied with:

- 1) An individual 21 years of age or older may acquire a handgun from a dealer federally licensed to sell firearms in the individual's state of residence.
- 2) An individual 18 years of age or older may purchase a rifle or shotgun from a federally licensed dealer in any state.
- 3) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell, deliver, or transfer a firearm unless the federal firearms licensee receives notice of approval from a prescribed source approving the transfer.
- 4) Sale of a firearm by a federally licensed dealer must be documented by a federal form 4473, which identifies and includes other information about the purchaser, and records the make, model, and serial number of the firearm. Sales to an individual of multiple handguns within a five-day period require dealer notification to the Federal Bureau of Alcohol, Tobacco and Firearms. Violations of dealer record keeping requirements are punishable by a penalty of up to \$1000 and one year's imprisonment.

b) **Sales between Individuals (Title 27 USC 478.29)** - An individual who does not possess a federal firearms license may not sell a firearm to a resident of another state without first transferring the firearm to a dealer in the purchaser's state. Firearms received by bequest or intestate succession are exempt from those sections of the law which forbid the transfer, sale, delivery or transportation of firearms into a state other than the transferor's state of residence.

c) **Temporary use of Another's Firearm (Title 27 CFR 478.29a)** - Provided that all other laws are complied with, an individual may temporarily borrow or rent a firearm for lawful sporting purposes throughout the United States.

2. Antiques - Antique firearms and replicas are exempted from the aforementioned restrictions. Antique firearms are defined as any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898, and any replica of a firearm as designed above if the replica is not designed or redesigned for using rimfire or conventional centerfire ammunition, or uses fixed ammunition, which is no longer manufactured in the United States and which is not readily available in the ordinary channels or commercial trade, any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol, which is designed to use black powder, or a black powder substitute, and which cannot use fixed ammunition. (Note: Antiques exemptions vary considerably under state laws.)

### 3. Shipping Firearms. (Title 27 USC 478.31)

- a) Firearms may not be mailed or shipped interstate from one non-FFL to another non-FFL. Personally owned rifles and shotguns may be mailed or shipped to an FFL in any state for any lawful purpose, including sale, repair, or customizing. An FFL may ship a firearm or replacement firearm of the same kind and type to a person from whom it was received. Under U.S. Postal regulations, handguns may be sent via the Postal Service only from one FFL to another FFL, or between authorized government officials.
- b) A person may ship a rifle or shotgun to himself, in care of a person who lives in another state, for purposes of hunting.
- c) Firearms or ammunition delivered to a common carrier for shipment must be accompanied by a written notice to the carrier of the contents of the shipment.

### 4. Transporting Firearms During Travel. (18 USC 926A)

- a) A provision of federal law serves as a defense to state or local laws which would prohibit the passage of persons with firearms in interstate travel.
- b) Notwithstanding any state or local law, a person shall be entitled to transport a firearm from any place where he may lawfully possess and transport such firearm to any other place where he may lawfully possess and transport such firearm if the firearm is unloaded and in the trunk. In vehicles without a trunk, the unloaded firearm shall be in a locked container other than the glove compartment or console.

- c) Federal law prohibits the carrying of any firearm, concealed or unconcealed, on or about the person or in carryon baggage while aboard an aircraft. The Transportation Security Administration (TSA) has established certain requirements for transporting firearms and ammunition. Firearms must be carried in a locked hard sided case.
  - d) Ammunition must be declared and can be transported in checked baggage or in the same container as the firearm as long the firearm is unloaded.
  - e) Any passenger who owns or legally possesses a firearm being transported aboard any common or contract carrier for movement with the passenger in interstate or foreign commerce must deliver the unloaded firearm into custody of the pilot, captain, conductor, or operator of such common or contract carrier for the duration of the trip.
5. Ammunition (18 USC 929)- As with firearms, shipments of ammunition must be accompanied by a written notice of the shipment's contents. It is unlawful for any licensed importer, dealer, manufacturer or collector to transfer shotgun or rifle ammunition to anyone under the age of 18, or any handgun ammunition to anyone under the age of 21. It is illegal to manufacture or sell armor-piercing handgun ammunition.

**6. Out-of-State disposition of firearms by nonlicensees. (27 CFR 478.30)**

No nonlicensee shall transfer, sell, trade, give, transport, or deliver any firearm to any other nonlicensee, who the transferor knows or has reasonable cause to believe does not reside in (or if the person is a corporation or other business entity, does not maintain a place of business in) the State in which the transferor resides: *Provided*, That the provisions of this section:

- (a) shall not apply to the transfer, transportation, or delivery of a firearm made to carry out a bequest of a firearm to, or any acquisition by intestate succession of a firearm by, a person who is permitted to acquire or possess a firearm under the laws of the State of his residence; and
- (b) shall not apply to the loan or rental of a firearm to any person for temporary use for lawful sporting purposes.

**7. Delivery by common or contract carrier. (27 CFR 478.31)**

- (a) No person shall knowingly deliver or cause to be delivered to any common or contract carrier for transportation or shipment in interstate or foreign commerce to any person other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector, any package or other

container in which there is any firearm or ammunition without written notice to the carrier that such firearm or ammunition is being transported or shipped: *Provided*, That any passenger who owns or legally possesses a firearm or ammunition being transported aboard any common or contract carrier for movement with the passenger in interstate or foreign commerce may deliver said firearm or ammunition into the custody of the pilot, captain, conductor or operator of such common or contract carrier for the duration of that trip without violating any provision of this part.

(b) No common or contract carrier shall require or cause any label, tag, or other written notice to be placed on the outside of any package, luggage, or other container indicating that such package, luggage, or other container contains a firearm.

(c) No common or contract carrier shall transport or deliver in interstate or foreign commerce any firearm or ammunition with knowledge or reasonable cause to believe that the shipment, transportation, or receipt thereof would be in violation of any provision of this part: *Provided, however*, That the provisions of this paragraph shall not apply in respect to the transportation of firearms or ammunition in in-bond shipment under Customs laws and regulations.

(d) No common or contract carrier shall knowingly deliver in interstate or foreign commerce any firearm without obtaining written acknowledgement of receipt from the recipient of the package or other container in which there is a firearm: *Provided*, That this paragraph shall not apply with respect to the return of a firearm to a passenger who places firearms in the carrier's custody for the duration of the trip.

**8. Prohibited shipment, transportation, possession, or receipt of firearms and ammunition by certain persons.(27 CFR 478.32)**

(a) No person may ship or transport any firearm or ammunition in interstate or foreign commerce, or receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce, or possess any firearm or ammunition in or affecting commerce, who:

- (1) Has been convicted in any court of a crime punishable by imprisonment for a term exceeding 1 year,
- (2) Is a fugitive from justice,

- (3) Is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act, 21 U.S.C. 802),
- (4) Has been adjudicated as a mental defective or has been committed to a mental institution,
- (5) Being an alien -
  - (i) Is illegally or unlawfully in the United States; or
  - (ii) Except as provided in paragraph (f) of this section, has been admitted to the United States under a nonimmigrant visa: Provided, That the provisions of this paragraph (a)(5)(ii) do not apply to any alien who has been lawfully admitted to the United States under a nonimmigrant visa, if that alien is -
    - (A) Admitted to the United States for lawful hunting or sporting purposes or is in possession of a hunting license or permit lawfully issued in the United States;
    - (B) An official representative of a foreign government who is either accredited to the United States Government or the Government's mission to an international organization having its headquarters in the United States or is en route to or from another country to which that alien is accredited. This exception only applies if the firearm or ammunition is shipped, transported, possessed, or received in the representative's official capacity;
    - (C) An official of a foreign government or a distinguished foreign visitor who has been so designated by the Department of State. This exception only applies if the firearm or ammunition is shipped, transported, possessed, or received in the official's or visitor's official capacity, except if the visitor is a private individual who does not have an official capacity; or
    - (D) A foreign law enforcement officer of a friendly foreign government entering the United States on official law enforcement business,
- (6) Has been discharged from the Armed Forces under dishonorable conditions,
- (7) Having been a citizen of the United States, has renounced citizenship,
- (8) Is subject to a court order that -
  - (i) Was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;
  - (ii) Restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place

an intimate partner in reasonable fear of bodily injury to the partner or child; and

(iii)

(A) Includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

(B) By its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury, or

(9) Has been convicted of a misdemeanor crime of domestic violence.

(b) No person who is under indictment for a crime punishable by imprisonment for a term exceeding one year may ship or transport any firearm or ammunition in interstate or foreign commerce or receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

(c) Any individual, who to that individual's knowledge and while being employed by any person described in paragraph (a) of this section, may not in the course of such employment receive, possess, or transport any firearm or ammunition in commerce or affecting commerce or receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

(d) No person may sell or otherwise dispose of any firearm or ammunition to any person knowing or having reasonable cause to believe that such person:

(1) is under indictment for, or has been convicted in any court of, a crime punishable by imprisonment for a term exceeding 1 year,

(2) Is a fugitive from justice,

(3) Is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act, 21 U.S.C. 802),

(4) Has been adjudicated as a mental defective or has been committed to a mental institution,

(5) Being an alien -

(i) Is illegally or unlawfully in the United States; or

(ii) Except as provided in paragraph (f) of this section, has been admitted to the United States under a nonimmigrant visa:

Provided, That the provisions of this paragraph (d)(5)(ii) do not apply to any alien who has been lawfully admitted to the United States under a nonimmigrant visa, if that alien is -

(A) Admitted to the United States for lawful hunting or sporting purposes or is in possession of a hunting license or permit lawfully issued in the United States;

(B) An official representative of a foreign government who is either accredited to the United States Government or the Government's

mission to an international organization having its headquarters in the United States or en route to or from another country to which that alien is accredited. This exception only applies if the firearm or ammunition is shipped, transported, possessed, or received in the representative's official capacity;

(C) An official of a foreign government or a distinguished foreign visitor who has been so designated by the Department of State. This exception only applies if the firearm or ammunition is shipped, transported, possessed, or received in the official's or visitor's official capacity, except if the visitor is a private individual who does not have an official capacity; or

(D) A foreign law enforcement officer of a friendly foreign government entering the United States on official law enforcement business,

(6) Has been discharged from the Armed Forces under dishonorable conditions,

(7) Having been a citizen of the United States, has renounced citizenship,

(8) Is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child: Provided, That the provisions of this paragraph shall only apply to a court order that -  
(i) Was issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and

(ii)

(A) Includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

(B) By its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury, or

(9) Has been convicted of a misdemeanor crime of domestic violence.

(e) The actual notice required by paragraphs (a)(8)(i) and (d)(8)(i) of this section is notice expressly and actually given, and brought home to the party directly, including service of process personally served on the party and service by mail. Actual notice also includes proof of facts and circumstances that raise the inference that the party received notice including, but not limited to, proof that notice was left at the party's dwelling house or usual place of abode with some person of suitable age and discretion residing therein; or proof that the party signed a return receipt for a hearing

notice which had been mailed to the party. It does not include notice published in a newspaper.

(f) Pursuant to 18 U.S.C. 922(y)(3), any individual who has been admitted to the United States under a nonimmigrant visa may receive a waiver from the prohibition contained in paragraph (a)(5)(ii) of this section if the Attorney General approves a petition for the waiver.

9. Dealers – Defined.

- a) Persons who engage in the business of buying or selling firearms must be licensed by the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives of the U.S. Department of Justice.
- b) A special class of "licensed collectors" provides for the purchase and sale of firearms designated by the BATFE as "curios and relics."
- c) Class III dealers may sell fully-automatic firearms manufactured prior to May 19, 1986, and other federally registered firearms and devices restricted under Title II of the Gun Control Act, to individuals who obtain approval from the U.S. Secretary of the Treasury after payment of a tax and clearance following a criminal background check. Violations of restrictions on Title II firearms and devices are punishable by a penalty of up to \$10,000 and 10 years imprisonment.

**G. Local Laws of each jurisdiction in Nebraska**

1. Omaha Special Rules for Non-Permit Holders.
  - a) Allows Concealed Weapons for Law enforcement and permit holders, allows for affirmative defense.
  - b) Requires weapons be cased and unloaded or broken down for transport. (without CHP).
  - c) An identification card is required for those who wish to open carry in the city of Omaha. This card is issued to those who have completed an approved firearm training program (8-10 hours in classroom, 2 hours on shooting range). A notable exception to this is that one may open carry if he possesses a valid CHP (Omaha Municipal Code, Sec. 20-206,207).
2. Lincoln Municipal Code.

- a) “It shall be unlawful for any person to knowingly possess or cause to be present a firearm or other dangerous weapon in a city and/or county facility (Sec. 9.36.130).”
- b) “It shall be unlawful for any person to knowingly possess or cause to be present a firearm or other dangerous weapon in a domestic violence victim facility or shelter or substance abuse treatment center licensed by the State of Nebraska (Sec. 9.36.140).”
- c) “It shall be unlawful for any person to keep a firearm in an unattended motor vehicle for a period in excess of twenty-four hours (Sec 9.36.110).”
- d) “The provisions of this section shall not apply to members of the Armed Forces of the United States, active or reserve, the National Guard of this state, or Reserve Officers Training Corps, when on duty or training, or peace officers or other duly authorized law enforcement officers, nor shall it apply to vehicles containing firearms that are parked in locked enclosures or buildings, such as garages or other storage facilities (Ord. 18158 §2; April 7, 2003).”





## **Federal, state, and local laws pertaining to the use of a handgun for self-defense and laws relating to justifiable homicide and assault**

- A. Justifiable Use of Force
- B. State Statutes – Use of Force - 28-1406 to 28-1416
- C. Terroristic threats – 28-311.01
- D. Assault 1st - 3rd Degree 28-308 to 28-310
- E. Federal Law – Title 18 and 27 USC

***It is strongly recommended that you consult an attorney before carrying a handgun, so that you can fully understand the legal consequences of using a firearm.***

***Firearm laws are subject to frequent change and court interpretation. This summary is not intended as legal advice or restatement of law. For any particular situation, a licensed local***



### A. Justifiable Use of Force.

The justifiable use of force of any kind (deadly or otherwise), are in situations where physical harm or death is imminent. For this to happen, four key components must exist at all times. As soon as one component ceases to exist, the legal use of force no longer exists.

The four elements to legitimate self-defense:

1. **Ability**
2. **Opportunity**
3. **Intent**
4. **Preclusion.**



**Ability** is simply the capacity of your attacker to cause you harm.

Serious injury can be inflicted by many individuals using a weapon or no weapon at all. The person you applied deadly force against must have been “able” to kill you or inflict serious bodily harm. Threats alone do not suffice, unless he had the ability in hand to carry them out.

If you were attacked by a person much larger than yourself, or by someone using martial arts techniques, or several individuals at the same time, you may reasonably conclude that they had the ability to seriously injure or kill you, even though they may have been technically “unarmed.” Disparity in size, age, strength, sex, and the level of aggressiveness are all important factors when considering ability.

**Opportunity** refers to a situation where this attacker was in a position to bring the destructive powers of his ability to bear effectively upon you.

For example, a knife or club is harmless in the hands of someone standing across a parking lot, but either can be deadly if the person is standing within arm’s reach or a few feet or meters away but closing fast. A firearm, on the other hand, *is considered deadly at any range.*

Intent is a mental process.

Since intent can’t be perceived directly, you can only infer it from the person’s actions and/or words. Accordingly, it is an error to say, “He was going to kill me.” Unless he tells you, *how do you know?* The fact is that you don’t know what was going through his mind. The correct way to phrase it is: “It looked as if he was going to kill me.” That way, you correctly identify your motivating factor as his actions, which you can see, not his thoughts, which you cannot see.

**Intent** is not strictly necessary for imminent danger to be present. For example, in a case where your bus driver is operating the vehicle recklessly, you are placed in lethal danger by an individual acting with extreme carelessness but who may have no specific intention of harming you.

**Preclusion** means that your options were precluded.

In other words, you used force only as a last, desperate resort. The court must be persuaded that under the circumstances, you had no logical or reasonable alternative but to use deadly force to defend yourself. Generally, the more self-restraint you use, the more reasonable your actions will look.

In fact, self-restraint is a keyword, particularly if you used a firearm. It is desirable for the court to see your actions as judicious, restrained and reasonable as long as you made every reasonable effort to abate the situation, even including the use of non-lethal force before finally resorting to the use of deadly force. Conversely, they should see your attacker's actions as precipitous, unwarranted and unconscionable.

**Mandatory Retreat or Stand Your Ground.**

In general, you are required to retreat from an attack, rather than use deadly force to repel it, even when the person attacked otherwise has a right to be where he is. Generally, mandatory retreat laws apply to every situation, except when the victim is in his own home or place of work.

### **B. State Statutes – Use of Force - 28-1406 to 28-1416**

#### 28-1406. Terms, defined.

As used in sections 28-1406 to 28-1416, unless the context otherwise requires:.

#### 28-1407. Justification; choice of evils.

(1) Conduct which the actor believes to be necessary to avoid a harm or evil to himself or to another is justifiable if:

(a) The harm or evil sought to be avoided by such conduct is greater than that sought to be prevented by the law defining the offense charged;

(b) Neither sections 28-1406 to 28-1416 nor other law defining the offense provides exceptions or defenses dealing with the specific situation involved; and

(c) A legislative purpose to exclude the justification claimed does not otherwise plainly appear.

(2) When the actor was reckless or negligent in bringing about the situation requiring a choice of harms or evils or in appraising the necessity for his conduct, the justification afforded by this section is unavailable in a prosecution for any offense for which recklessness or negligence, as the case may be, suffices to establish culpability.

#### 28-1408. Public duty; execution.

(1) Except as provided in subsection (2) of this section, conduct is justifiable when it is required or authorized by:

(a) The law defining the duties or functions of a public officer or the assistance to be rendered to such officer in the performance of his duties;

(b) The law governing the execution of legal process;

(c) The judgment or order of a competent court or tribunal;

(d) The law governing the armed services or the lawful conduct of war; or

- (e) Any other provision of law imposing a public duty.
- (2) Sections 28-1409 to 28-1416 shall apply to:
  - (a) The use of force upon or toward the person of another for any of the purposes dealt with in such sections; and
  - (b) The use of deadly force for any purpose, unless the use of such force is otherwise expressly authorized by law or occurs in the lawful conduct of war.
- (3) The justification afforded by subsection (1) of this section shall apply:
  - (a) When the actor believes his conduct to be required or authorized by the judgment or direction of a competent court or tribunal or in the lawful execution of legal process, notwithstanding lack of jurisdiction of the court or defect in the legal process; and
  - (b) When the actor believes his conduct to be required or authorized to assist a public officer in the performance of his duties, notwithstanding that the officer exceeded his legal authority.

28-1409. Use of force in self-protection.

- (1) Subject to the provisions of this section and of section 28-1414, the use of force upon or toward another person is justifiable when the actor believes that such force is immediately necessary for the purpose of protecting himself against the use of unlawful force by such other person on the present occasion.
- (2) The use of such force is not justifiable under this section to resist an arrest which the actor knows is being made by a peace officer, although the arrest is unlawful.
- (3) The use of such force is not justifiable under this section to resist force used by the occupier or possessor of property or by another person on his behalf, where the actor knows that the person using the force is doing so under a claim of right to protect the property, except that this limitation shall not apply if:
  - (a) The actor is a public officer acting in the performance of his duties or a person lawfully assisting him therein or a person making or assisting in a lawful arrest;
  - (b) The actor has been unlawfully dispossessed of the property and is making a reentry or recapture justified by section 28-1411; or
  - (c) The actor believes that such force is necessary to protect himself against death or serious bodily harm.

(4) **The use of deadly force shall not be justifiable under this section unless the actor believes that such force is necessary to protect himself against death, serious bodily harm, kidnapping or sexual intercourse compelled by force or threat, nor is it justifiable if:**

(a) The actor, with the purpose of causing death or serious bodily harm, provoked the use of force against himself in the same encounter; or

(b) The actor knows that he can avoid the necessity of using such force with complete safety by retreating or by surrendering possession of a thing to a person asserting a claim of right thereto or by complying with a demand that he abstain from any action which he has no duty to take, except that:

(i) The actor shall not be obliged to retreat from his dwelling or place of work, unless he was the initial aggressor or is assailed in his place of work by another person whose place of work the actor knows it to be; and

(ii) A public officer justified in using force in the performance of his duties or a person justified in using force in his assistance or a person justified in using force in making an arrest or preventing an escape shall not be obliged to desist from efforts to perform such duty, effect such arrest or prevent such escape because of resistance or threatened resistance by or on behalf of the person against whom such action is directed.

(5) Except as required by subsections (3) and (4) of this section, a person employing protective force may estimate the necessity thereof under the circumstances as he believes them to be when the force is used, without retreating, surrendering possession, doing any other act which he has no legal duty to do, or abstaining from any lawful action.

(6) The justification afforded by this section extends to the use of confinement as protective force only if the actor takes all reasonable measures to terminate the confinement as soon as he knows that he safely can do so, unless the person confined has been arrested on a charge of crime.

28-1410. Use of force for protection of other persons

**(1) Subject to the provisions of this section and of section 28-1414, the use of force upon or toward the person of another is justifiable to protect a third person when:**

(a) The actor would be justified under section 28-1409 in using such force to protect himself against the injury he believes to be threatened to the person whom he seeks to protect;

- (b) Under the circumstances as the actor believes them to be, the person whom he seeks to protect would be justified in using such protective force; and
- (c) The actor believes that his intervention is necessary for the protection of such other person.

(2) Notwithstanding subsection (1) of this section:

- (a) When the actor would be obliged under section 28-1409 to retreat, to surrender the possession of a thing or to comply with a demand before using force in self-protection, he shall not be obliged to do so before using force for the protection of another person, unless he knows that he can thereby secure the complete safety of such other person;
- (b) When the person whom the actor seeks to protect would be obliged under section 28-1409 to retreat, to surrender the possession of a thing or to comply with a demand if he knew that he could obtain complete safety by so doing, the actor is obliged to try to cause him to do so before using force in his protection if the actor knows that he can obtain complete safety in that way; and
- (c) Neither the actor nor the person whom he seeks to protect is obliged to retreat when in the other's dwelling or place of work to any greater extent than in his own.

**28-1411. Use of force for protection of property**

- (1) Subject to the provisions of this section and of section 28-1414, the use of force upon or toward the person of another is justifiable when the actor believes that such force is immediately necessary:
  - (a) To prevent or terminate an unlawful entry or other trespass upon land or a trespass against or the unlawful carrying away of tangible, movable property; Provided, that such land or movable property is, or is believed by the actor to be, in his possession or in the possession of another person for whose protection he acts; or
  - (b) To effect an entry or reentry upon land or to retake tangible movable property; Provided, that the actor believes that he or the person by whose authority he acts or a person from whom he or such other person derives title was unlawfully dispossessed of such land or movable property and is entitled to possession; and provided further, that:
    - (i) The force is used immediately or on fresh pursuit after such dispossession; or
    - (ii) The actor believes that the person against whom he uses force has no claim of right to the possession of the property and, in the case of land, the circumstances, as the actor believes them to be, are of such

urgency that it would be an exceptional hardship to postpone the entry or reentry until a court order is obtained.

(2) For the purposes of subsection (1) of this section:

(a) A person who has parted with the custody of property to another who refuses to restore it to him is no longer in possession, unless such property is movable and was and still is located on land in his possession;

(b) A person who has been dispossessed of land does not regain possession thereof merely by setting foot thereon; and

(c) A person who has a license to use or occupy real property is deemed to be in possession thereof except against the licensor acting under claim of right.

(3) The use of force is justifiable under this section only if the actor first requests the person against whom such force is used to desist from his interference with the property, unless the actor believes that:

(a) Such request would be useless;

(b) It would be dangerous to himself or another person to make the request; or

(c) Substantial harm will be done to the physical condition of the property which is sought to be protected before the request can effectively be made.

(4) The use of force to prevent or terminate a trespass is not justifiable under this section if the actor knows that the exclusion of the trespasser will expose him to substantial danger of serious bodily harm.

(5) The use of force to prevent an entry or reentry upon land or the recapture of movable property is not justifiable under this section, although the actor believes that such reentry or recapture is unlawful, if:

(a) The reentry or recapture is made by or on behalf of a person who was actually dispossessed of the property; and

(b) It is otherwise justifiable under subdivision (1)(b) of this section.

(6) The use of deadly force is not justifiable under this section unless the actor believes that:

(a) The person against whom the force is used is attempting to dispossess him of his dwelling otherwise than under a claim of right to its possession; or

(b) The person against whom the force is used is attempting to commit or consummate arson, burglary, robbery or other felonious theft or property destruction and either:

(i) Has employed or threatened deadly force against or in the presence of the actor; or

(ii) The use of force other than deadly force to prevent the commission or the consummation of the crime would expose the actor or another in his presence to substantial danger of serious bodily harm.

(7) The justification afforded by this section extends to the use of confinement as protective force only if the actor takes all reasonable measures to terminate the confinement as soon as he knows that he can do so with safety to the property, unless the person confined has been arrested on a charge of crime.

(8) The justification afforded by this section extends to the use of a device for the purpose of protecting property only if:

(a) Such device is not designed to cause or known to create a substantial risk of causing death or serious bodily harm;

(b) Such use of the particular device to protect such property from entry or trespass is reasonable under the circumstances, as the actor believes them to be; and

(c) Such device is one customarily used for such a purpose or reasonable care is taken to make known to probable intruders the fact that it is used.

(9) The use of force to pass a person whom the actor believes to be purposely or knowingly and unjustifiably obstructing the actor from going to a place to which he may lawfully go is justifiable if:

(a) The actor believes that the person against whom he uses force has no claim of right to obstruct the actor;

(b) The actor is not being obstructed from entry or movement on land which he knows to be in the possession or custody of the person obstructing him, or in the possession or custody of another person by whose authority the obstructor acts, unless the circumstances, as the actor believes them to be, are of such urgency that it would not be reasonable to postpone the entry or movement on such land until a court order is obtained; and

(c) The force used is not greater than would be justifiable if the person obstructing the actor were using force against him to prevent his passage.

28-1412. Use of force in law enforcement.

(1) Subject to the provisions of this section and of section 28-1414, the use of force upon or toward the person of another is justifiable when the actor is making or assisting in making an arrest and the actor believes that such force is immediately necessary to effect a lawful arrest.

(2) The use of force is not justifiable under this section unless:

(a) The actor makes known the purpose of the arrest or believes that it is otherwise known by or cannot reasonably be made known to the person to be arrested; and

(b) When the arrest is made under a warrant, the warrant is valid or believed by the actor to be valid.

(3) The use of deadly force is not justifiable under this section unless:

(a) The arrest is for a felony;

(b) Such person effecting the arrest is authorized to act as a peace officer or is assisting a person whom he believes to be authorized to act as a peace officer;

(c) The actor believes that the force employed creates no substantial risk of injury to innocent persons; and

(d) The actor believes that:

(i) The crime for which the arrest is made involved conduct including the use or threatened use of deadly force; or

(ii) There is a substantial risk that the person to be arrested will cause death or serious bodily harm if his apprehension is delayed.

(4) The use of force to prevent the escape of an arrested person from custody is justifiable when the force could justifiably have been employed to effect the arrest under which the person is in custody, except that a guard or other person authorized to act as a peace officer is justified in using any force, including deadly force, which he believes to be immediately necessary to prevent the escape of a person from a jail, prison, or other institution for the detention of persons charged with or convicted of a crime.

(5) A private person who is summoned by a peace officer to assist in effecting an unlawful arrest is justified in using any force which he would be justified in using if the arrest were lawful; Provided, that he does not believe the arrest is unlawful.

(6) A private person who assists another private person in effecting an unlawful arrest, or who, not being summoned, assists a peace officer in

effecting an unlawful arrest, is justified in using any force which he would be justified in using if the arrest were lawful, if:

- (a) He believes the arrest is lawful; and
- (b) The arrest would be lawful if the facts were as he believes them to be.

(7) The use of force upon or toward the person of another is justifiable when the actor believes that such force is immediately necessary to prevent such other person from committing suicide, inflicting serious bodily harm upon himself, committing or consummating the commission of a crime involving or threatening bodily harm, damage to or loss of property or a breach of the peace, except that:

(a) Any limitations imposed by the other provisions of sections 28-1406 to 28-1416 on the justifiable use of force in self-protection, for the protection of others, the protection of property, the effectuation of an arrest or the prevention of an escape from custody shall apply notwithstanding the criminality of the conduct against which such force is used; and

(b) The use of deadly force is not in any event justifiable under this subsection unless:

- (i) The actor believes that there is a substantial risk that the person whom he seeks to prevent from committing a crime will cause death or serious bodily harm to another unless the commission or the consummation of the crime is prevented and that the use of such force presents no substantial risk of injury to innocent persons; or
- (ii) The actor believes that the use of such force is necessary to suppress a riot or mutiny after the rioters or mutineers have been ordered to disperse and warned, in any particular manner that the law may require, that such force will be used if they do not obey.

(8) The justification afforded by subsection (7) of this section extends to the use of confinement as preventive force only if the actor takes all reasonable measures to terminate the confinement as soon as he knows that he safely can do so, unless the person confined has been arrested on a charge of crime.

28-1413. Use of force by person with special responsibility for care, discipline, or safety of others.

The use of force upon or toward the person of another is justifiable if:

- (1) The actor is the parent or guardian or other person similarly responsible for the general care and supervision of a minor or a person acting at the request of such parent, guardian, or other responsible person and:

(a) Such force is used for the purpose of safeguarding or promoting the welfare of the minor, including the prevention or punishment of his or her misconduct; and

(b) Such force used is not designed to cause or known to create a substantial risk of causing death, serious bodily harm, disfigurement, extreme pain or mental distress, or gross degradation;

(2) The actor is the guardian or other person similarly responsible for the general care and supervision of an incompetent person and:

(a) Such force is used for the purpose of safeguarding or promoting the welfare of the incompetent person, including the prevention of his or her misconduct, or, when such incompetent person is in a hospital or other institution for his or her care and custody, for the maintenance of reasonable discipline in such institution; and

(b) Such force used is not designed to cause or known to create a substantial risk of causing death, serious bodily harm, disfigurement, extreme or unnecessary pain, mental distress, or humiliation;

(3) The actor is a doctor or other therapist or a person assisting him or her at his or her direction and:

(a) Such force is used for the purpose of administering a recognized form of treatment which the actor believes to be adapted to promoting the physical or mental health of the patient; and

(b) Such treatment is administered with the consent of the patient or, if the patient is a minor or an incompetent person, with the consent of his or her parent or guardian or other person legally competent to consent in his or her behalf or the treatment is administered in an emergency when the actor believes that no one competent to consent can be consulted and that a reasonable person, wishing to safeguard the welfare of the patient, would consent;

(4) The actor is a warden or other authorized official of a correctional institution and:

(a) He or she believes that the force used is necessary for the purpose of enforcing the lawful rules or procedures of the institution, unless his or her belief in the lawfulness of the rule or procedure sought to be enforced is erroneous and his or her error is the result of ignorance or mistake as to the provisions of sections 28-1406 to 28-1416, any other provision of the criminal law, or the law governing the administration of the institution;

(b) The nature or degree of force used is not forbidden by section 28-1408 or 28-1409; and

(c) If deadly force is used, its use is otherwise justifiable under sections 28-1406 to 28-1416;

- (5) The actor is a person responsible for the safety of a vessel or an aircraft or a person acting at his or her direction and:
- (a) He or she believes that the force used is necessary to prevent interference with the operation of the vessel or aircraft or obstruction of the execution of a lawful order unless such belief in the lawfulness of the order is erroneous and such error is the result of ignorance or mistake as to the law defining such authority; and
  - (b) If deadly force is used, its use is otherwise justifiable under sections 28-1406 to 28-1416; and

- (6) The actor is a person who is authorized or required by law to maintain order or decorum in a vehicle, train, or other carrier or in a place where others are assembled, and:
- (a) He or she believes that the force used is necessary for such purpose; and
  - (b) Such force used is not designed to cause or known to create a substantial risk of causing death, bodily harm, or extreme mental distress.

28-1414. Mistake of law; reckless or negligent use of force.

- (1) The justification afforded by sections 28-1409 to 28-1412 is unavailable when:
- (a) The actor's belief in the unlawfulness of the force or conduct against which he employs protective force or his belief in the lawfulness of an arrest which he endeavors to effect by force is erroneous; and
  - (b) His error is the result of ignorance or mistake as to the provisions of sections 28-1406 to 28-1416, any other provision of the criminal law, or the law governing the legality of an arrest or search.
- (2) When the actor believes that the use of force upon or toward the person of another is necessary for any of the purposes for which such belief would establish a justification under sections 28-1408 to 28-1413 but the actor is reckless or negligent in having such belief or in acquiring or failing to acquire any knowledge or belief which is material to the justifiability of his use of force, the justification afforded by those sections is unavailable in a prosecution for an offense for which recklessness or negligence, as the case may be, suffices to establish culpability.
- (3) When the actor is justified under sections 28-1408 to 28-1413 in using force upon or toward the person of another but he recklessly or negligently injures or creates a risk of injury to innocent persons, the

justification afforded by those sections is unavailable in a prosecution for such recklessness or negligence towards innocent persons.

28-1415. Justification in property crimes.

Conduct involving the appropriation, seizure or destruction of, damage to, intrusion on or interference with property is justifiable under circumstances which would establish a defense of privilege in a civil action based thereon, unless:

- (1) Sections 28-1406 to 28-1416 or the law defining the offense deals with the specific situation involved; or
- (2) A legislative purpose to exclude the justification claimed otherwise plainly appears.

28-1416. Justification an affirmative defense; available in certain civil actions.

(1) In any prosecution based on conduct which is justifiable under sections 28-1406 to 28-1416, justification is an affirmative defense.

(2) The justification defenses provided for under sections 28-1406 to 28-1416 shall be available in any civil action for assault and battery or intentional wrongful death and, where applicable, shall be a bar to recovery.

**C. Terroristic threats – 28-311.01**

28-311.01. Terroristic threats; penalty.

(1) A person commits terroristic threats if he or she threatens to commit any crime of violence:

- (a) With the intent to terrorize another;
- (b) With the intent of causing the evacuation of a building, place of assembly, or facility of public transportation; or
- (c) In reckless disregard of the risk of causing such terror or evacuation.

(2) Terroristic threats is a Class IV felony.

**D. Assault 1st - 3rd Degree 28-308 to 28-310**

28-308. Assault in the first degree; penalty.

(1) A person commits the offense of assault in the first degree if he or she intentionally or knowingly causes serious bodily injury to another person.

(2) Assault in the first degree shall be a Class II felony.

28-309. Assault in the second degree: penalty.

(1) A person commits the offense of assault in the second degree if he or she:

- (a) Intentionally or knowingly causes bodily injury to another person with a dangerous instrument;
- (b) Recklessly causes serious bodily injury to another person with a dangerous instrument; or
- (c) Unlawfully strikes or wounds another (i) while legally confined in a jail or an adult correctional or penal institution, (ii) while otherwise in legal custody of the Department of Correctional Services, or (iii) while committed as a dangerous sex offender under the Sex Offender Commitment Act.

(2) Assault in the second degree shall be a Class III felony.

28-310. Assault in the third degree: penalty.

(1) A person commits the offense of assault in the third degree if he:

- (a) Intentionally, knowingly, or recklessly causes bodily injury to another person; or
- (b) Threatens another in a menacing manner. **(POINTING A GUN AT ANOTHER PERSON IS CONSIDERED ASSAULT IN THE 3rd DEGREE.)**

(2) Assault in the third degree shall be a Class I misdemeanor unless committed in a fight or scuffle entered into by mutual consent, in which case it shall be a Class II misdemeanor.

28-310.01. Strangulation: penalty; affirmative defense.

(1) A person commits the offense of strangulation if the person knowingly or intentionally impedes the normal breathing or circulation of the blood of another person by applying pressure on the throat or neck of the other person.

(2) Except as provided in subsection (3) of this section, strangulation is a Class IV felony.

(3) Strangulation is a Class III felony if:

- (a) The person used or attempted to use a dangerous instrument while committing the offense;

- (b) The person caused serious bodily injury to the other person while committing the offense; or
  - (c) The person has been previously convicted of strangulation.
- (4) It is an affirmative defense that an act constituting strangulation was the result of a legitimate medical procedure.

### E. Federal Law – Title 18 and 27 USC

Title 18 of the United States Code is the criminal and penal code of the federal government, and it deals with federal crimes and criminal procedure. Under federal law supported by the National Rifle Association, the use of a firearm in a violent or drug-trafficking crime is punishable by a mandatory prison sentence of up to 20 years. A second conviction, if the firearm is a machine gun or is equipped with a silencer, brings life imprisonment without release. Violating firearms laws should lead to very real punishment for violent criminals, but the laws first must be enforced.

- 1) National Firearms Act. Passed in 1934, the NFA taxes the manufacture and transfer of, and mandates the registration of, Title II weapons such as machine guns, short-barreled rifles and shotguns, heavy weapons, explosive ordnance, silencers, and disguised or improvised firearms.
- 2) Omnibus Crime Control and Safe Streets Act. Passed in 1968, the OCCSA prohibits interstate trade in handguns, increased the minimum age to 21 for buying handguns.
- 3) Gun Control Act. Passed in 1968, the GCA focuses primarily on regulating interstate commerce in firearms by generally prohibiting interstate firearms transfers except among licensed manufacturers, dealers and importers.
- 4) Firearm Owners Protection Act. Passed in 1986, FOPA revised and partially repealed the Gun Control Act of 1968. It prohibits the sale to civilians of automatic firearms manufactured after the date of the law's passage and required ATF approval of transfers of automatic firearms.
- 5) Undetectable Firearms Act. Passed in 1988, UFA effectively criminalizes, with a few exceptions, the manufacture, importation, sale, shipment, delivery, possession, transfer, or receipt of any firearm that is not as detectable by walk-through metal detection as a security exemplar containing 3.7 oz of steel, or any firearm with major

components that do not generate an accurate image before standard airport imaging technology.

- 6) Gun-Free School Zones Act. Passed in 1990, the GFSZA prohibits unauthorized individuals from knowingly possessing a firearm at a place that the individual knows, or has reasonable cause to believe, is a school zone.
- 7) Brady Handgun Violence Prevention Act. Passed in 1993, Brady requires background checks on most firearm purchasers, depending on seller and venue.
- 8) Federal Assault Weapons Ban. Passed in 1994, FAWB banned semiautomatic assault weapons and large capacity ammunition feeding devices. The law expired in 2004.
- 9) Protection of Lawful Commerce in Arms Act. Passed in 2005, PLCAA prevents firearms manufacturers and licensed dealers from being held liable for negligence when crimes have been committed with their products.



# **Range Procedure Review, application for the CHP Permit and FAQs, and NSP Exam**

- A. Applying for the Concealed Handgun Permit**
- B. Administer the test**
- C. Range Procedures**
  - a. Meeting Place and time**
  - b. Range Rules**
- D. Make sure all firearms are unloaded and cased before approaching range**
- E. Live Fire Procedures**



**A. Applying for CHP Permit**

1. Fill out Nebraska Concealed Handgun Permit Application Form
  - a. Fill in blanks
  - b. Answer questions honestly
  - c. Do not sign until a notary is present
2. Gather required documents
  - a. Application Form
  - b. Certificate of Completion
  - c. Drivers' License, Nebraska Identification Card, or Military Identification Card.
  - d. State certified Birth Certificate, Naturalization Papers, Certificate of Citizenship issues by U.S. Immigration authorities or a signed current or expired Passport. (Not required for renewal).
  - e. Applicable Fee. \$100 for initial permit and \$50 for renewals
  - f. If name has changed bring supporting documentation
3. Take to one of the Troop Headquarters or Criminal Identification Divisions listed on the application form.

Note that ALL will require an appointment.

**B. Administer Written Test**

When written test is completed and graded anyone missing 9 or less out of 30 will be qualify for a certificate of completion. Anyone missing more than 9 will need to retake the test.

**C. Review the Rules of the range**

1. All firearms will remain unloaded and cased until you are directed by the instructor to remove the firearm and holster and/or load it.

2. Do not anticipate directions. Do not follow directions until they are fully explained and the signal to comply is given.
3. Only approved and safe firearms will be allowed on the range.
4. All handguns will be inspected by the instructor
5. If the firearm is judged to be unsafe, the student will be allowed to use another firearm.
6. Only factory produced/packaged ammunition is allowed on the range. Absolutely no hand-loaded ammunition is allowed in the class. Ammunition may be inspected.
7. No horseplay will be tolerated. Anyone exhibiting unsafe behavior will be dismissed from the session and asked to leave the premises.
8. All firearms will be pointed downrange at all times.
9. Keep your finger off the trigger until you are directed to fire.
10. Firearms will only be loaded when you are directed to do so by the instructor.
11. Everyone must stay behind the firing line until the range is declared Safe/Clear by the instructor.
12. ANYONE seeing an unsafe act can call for a "cease-fire"
13. Use of eye and hearing protection is mandatory.
14. Firearms must be UNLOADED AND CASED when brought to the range.

### **D. Firearm & Equipment Check**

1. Be sure all firearms are unloaded and cased when brought to the range.
2. Be sure everyone has an appropriate holster.
3. Be sure everyone brought enough ammunition
4. Be sure shooters brought correct caliber of ammunition for their firearm.
5. Be sure everyone has eye and ear protection

6. Be sure all firearms are operable and appear to be safe

## **E. Practical Assessment**

### **1. Unloaded draw and dry fire practice drills**

- a. Student will practice with an unloaded weapon, drawing and dry firing on a target. This drill is to demonstrate that the student can safely draw a pistol and acquire a target.
  - b. Instructor will inspect grip and advise if adjustments are needed
2. Student will demonstrate drawing and dry firing at least 5 times (or more at the Instructors discretion)

### **Draw and live fire practice (minimum 20 rounds)**

- a. Set up: One FBI "Q" target at 9 feet
- b. Upon the command to fire from the Instructor, student will draw from concealment and fire two rounds on the target, then SLOWLY re-holster.
- c. Student will repeat this drill 10 times, or more at the discretion of the instructor.
- d. Successful completion of this exercise is putting 70% hits on the target

### **3. Precision Shooting exercise (minimum 12 rounds)**

- a. Student will practice precision shooting
- b. 6 shots on a round target at 15 feet
- c. 6 shots on a round target at 21 feet

### **4. Decision making drills "Shoot/Don't Shoot" (minimum 18 rounds)**

- a. Set up will be two or more targets of different shapes and/or colors at the 3-5 yard distance.
- b. Student will be instructed to "load and make ready"
- c. Starting from the low and ready position (elbows against ribcage and muzzle parallel to the ground).

Student should be looking at their gun and not the targets.

- d. Instructor will tell the student which targets to engage or not engage, and give the command to "fire".
  - e. The student will engage each target with TWO rounds.
  - f. The student must successfully complete 9 strings of fire using these drills.
  - g. Successfully completing this drill means not shooting at targets you were not told to shoot, as well as putting hits on all targets the student was instructed to shoot.
- 5. The qualification course accuracy course shall be 30 rounds with varying distances.** The target used shall be the FBI "Q" target. A score of 70 percent will be the minimum to demonstrate competency. Participants in the Handgun Training and Safety Course will be allowed three attempts to demonstrate competency, meeting the minimum standards.

**Distance, Number of Rounds (No Time Limit)**

3 feet, Six (6) Rounds

\* Two rounds per command to fire. One (1) repetition must be from a concealed draw\*

9 feet Twelve (12) Rounds

\* Two rounds per command to fire. Three (3) repetitions must be from a concealed draw\*

15 feet Six (6) Rounds

\* Two rounds per command to fire. One (1) repetition must be from a concealed draw\*

21 feet Six (6) Rounds

\* Two rounds per command to fire. One (1) repetition must be from a concealed draw\*

- F. Grade targets and issue certificates for passing students. Students not passing the qualification course will complete both practice and qualification courses of fire again.



NEBRASKA ADMINISTRATIVE CODE



TITLE 272, NEBRASKA ADMINISTRATIVE CODE, CHAPTER 21

NEBRASKA STATE PATROL

Concealed Handgun Permits



Issue Date: August 6, 2010  
NEBRASKA ADMINISTRATIVE CODE

TITLE 272 NAC 21

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NEBRASKA ADMINISTRATIVE CODE

TITLE 272 NAC 21

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Obligations of a Permit Holder	Neb. Rev. Stat. § 69-2440	017
Penalties	Neb. Rev. Stat. §§ 69-2430 & 69-2443	025
Permit Eligibility	Neb. Rev. Stat. § 69-2433	005
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Prohibited Places and Premises	Neb. Rev. Stat. § 69-2441	016
Reapplication After Denial or Revocation	Neb. Rev. Stat. § 69-2446	016
Reciprocity With Other States	Neb. Rev. Stat. § 69-2433	004
Renewal of Permits	Neb. Rev. Stat. § 69-2436	010
Reporting Injuries and Damage Caused by Firearm of Permit Holder	Neb. Rev. Stat. § 69-2442	018
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**Title 272 – NEBRASKA STATE PATROL**

**Chapter 21 – Concealed Handgun Permits**

001 SCOPE AND PURPOSE

001.01 These regulations are to implement the Concealed Handgun Permit Act pursuant to Neb. Rev. Stat. §§ 69-2432 and 69-2446. The purpose of this act is to provide for Concealed Handgun Permits for those applicants who meet the requirements of the Act.

002.01 "Calendar days" mean the total number of days counted from a calendar including weekends and holidays.

002.02 "CID" means the Criminal Identification Division of the NSP.

002.03 "Concealed handgun" is defined by Neb. Rev. Stat. § 69-2429(1).

002.04 "Firing Range" means a location operated and maintained for public or private shooting sports and designed to keep fired rounds within the range by use of a berm or backstop.

002.05 "Handgun" is defined by Neb. Rev. Stat. § 69-2429(3).

002.06 "Misdemeanor crime of violence" means any misdemeanor conviction under the laws of this state that has as an element, the use or attempted use of physical force against another person, or the threatened use of a deadly weapon or deadly force. A "misdemeanor crime of violence" includes but is not limited to:

- (1) A misdemeanor conviction for an attempted felony offense that is a crime of violence or for being an accessory to a felony that is a crime of violence; or
- (2) A conviction under any of the following Neb. Rev. Stat.; assault in the third degree under § 28-310; stalking under subsection (1) of § 28-311,04; false imprisonment in the second degree under § 28-315; third degree sexual assault under subsection 28-320(3); first offense domestic assault in the third degree under subsection (1) of section 28-323; false imprisonment in the second degree under § 28-315; or any attempt or conspiracy to commit one of these offenses; or
- (3) any conviction from another jurisdiction that is equivalent to one of the above offenses or meets the definition of a misdemeanor crime of violence.

002.07 "Nebraska State Patrol" or "Patrol" mean the Nebraska State Patrol Concealed Handgun Permit Program when used in these regulations. The address for this program is P.O. Box 94907, Lincoln, Nebraska 68509. Any mail or documents sent to this address should be clearly marked for the Concealed Handgun Permit Program.

002.08 "Permit" mean a Concealed Handgun Permit. The Permit is the property of the Patrol.

002.09 "Property damage" mean a loss or harm to either real or personal property having some value to the owner. It does not include minor incidental damage caused by a firearm discharge.

002.10 "Peace officer" is defined by Neb. Rev. Stat. § 49-801(15).

002.11 "Posted conspicuous notice" mean a clearly visible sign posted at each public entrance to a place or premises open to the public which indicates that concealed handguns are not allowed in the place or on the premises. A recommended format for the sign can be found in these regulations.

002.12 "Readily discernible physical infirmity" mean a visible physical impairment which interferes with the safe handling of a handgun. A person with an apparent impairment will be given the opportunity to demonstrate competency for safe handling during the training program and will not be disqualified if the apparent impairment does not result in unsafe handling of the firearm.

002.13 "Renewed permit" mean a five year extension of a permit issued to a permit holder who applies for the extension of the permit within the four (4) months preceding the expiration of the initial permit.

002.14 "Resident" mean a person who has been a resident of this state for at least one hundred eighty days. This does not include an applicant who maintains a residence in another state and claims that residence for voting or tax purposes;

002.15 "United States Armed Forces member" mean personnel of the United States Army, United States Navy, United States Air Force, United States Marine Corps, United States Coast Guard, and members of the National Guard on active duty assignment with one of the active services. It does not include members of inactive or reserve units.

002.16 "Weapon" mean any revolver, pistol, bowie knife, dirk or knife, brass or iron knuckles, and all other deadly weapons.

002.17 "Working days" mean days in which state offices are open for business, excluding weekends and holidays recognized by the State of Nebraska.

003.01 Non-residents of the state of Nebraska are not eligible to hold or apply for a Nebraska concealed handgun permit.

#### 004 RECIPROCITY WITH OTHER STATES

004.01 Permits issued by other states or the District of Columbia to persons who are not residents of Nebraska will be recognized as valid in Nebraska if they are on the list maintained and published by the Nebraska Attorney General as jurisdictions using standards which are equal to or greater than those in effect in Nebraska.

004.02 Nebraska issued permits will not automatically be recognized in all states on the list of permits honored in Nebraska.

005.01 An applicant will meet and maintain the following requirements:

005.01A Be at least twenty-one (21) years of age;

005.01B Not be prohibited from purchasing or possessing a handgun by federal law under 18 U.S.C. 922. Verification of this requirement requires clearance from the National Instant Criminal Background Check System (NICS);

005.01C Not be prohibited from purchasing or possessing a handgun under state, tribal, or local laws.

005.01D Possess the eyesight necessary for a Class "O" operator's license as evidenced by a valid driver's license issued by the State of Nebraska or a driver's license issued by any other U.S. state or territory that includes a vision test, or a comparable vision exam;

005.01E Not have been convicted of a felony in any jurisdiction;

005.01F Not have been convicted of a misdemeanor crime of violence in any jurisdiction within the ten (10) years preceding the application.

005.01G Not currently be adjudged mentally incompetent or have been found to be mentally ill and dangerous in the previous ten (10) years. This prohibitor does not include a person in a mental institution for observation or evaluation such as

emergency protective custody (EPC) nor a voluntary admission to a mental institution. (Federal law has no time restrictions for this disqualification, see 18 U.S.C. 922) ;

005.01H Be a current resident of the State of Nebraska and comply with one of the following:

(1) Have been a resident of the State of Nebraska for at least the past one hundred eighty (180) days, or

(2) Be a member, the spouse of a member, or someone receiving the benefits of a spouse of a member of the United States Armed Forces stationed at a military installation in Nebraska pursuant to permanent duty station orders, even though he or she has not resided in the State of Nebraska for one hundred and eighty (180) days and he or she maintains a residence in another state, or

(3) Moved to Nebraska from another state and possess a valid permit to carry a concealed handgun issued by his or her previous state of residence that is recognized by the State of Nebraska pursuant to Nebr. Rev. Stat. § 69-2448, even though he or she has not resided in the State of Nebraska for one hundred and eighty (180) days.

005.01I Not have been convicted of violating any law of this state relating to firearms or unlawful use of a weapon, or-of any similar law of another jurisdiction within the ten (10) years preceding the date of application. This subdivision does not apply to any conviction under Neb. Rev. Stat. Chapter 37 or under any similar law of another jurisdiction, except convictions for; Hunting from Aircraft (Neb. Rev. Stat, § 37-509) , Shooting at Wildlife from a Highway or Roadway (Neb. Rev. Stat. § 37-513) , or Shotgun on Highway (Neb. Rev. Stat. § 37-522) , or under any similar law of another jurisdiction;

005.01J Not have been convicted of violating any laws of this state relating to controlled substances or of any similar' law of another jurisdiction within the ten (10) years preceding the date of application;

005.01K Not currently be on parole, probation, house arrest, or work release for any type of offense of any degree. This disqualification does not include pre-trial diversion unless it is from a jurisdiction which requires the offender to enter a guilty plea before diversion;

005.01L Be a citizen or a lawful permanent resident of the United States; and

005.01M Provide proof of training.

## 006 APPLICATION PROCESS

006.01 Any person wishing to apply for a permit to carry a concealed handgun will apply i to the Patrol at the CID office in Lincoln or at any Troop Area Headquarters outside of Lincoln. Locations will be posted on the Patrol website at <http://www.statepatrol.nebraska.gov/>.

006.02 Applicants will present a completed application form in person at the Patrol office designated for taking permit applications. Applicants will submit the following at the time of application:

006.02A the application form;

006.02B proof of training;

006.02C proof of vision;

006.02D proof of identification;  
006.02E proof of citizenship;  
006.02F proof of address;  
006.02G a signature;  
006.02H the applicable fee; and  
006.02I proof of a legal name change, if the name on the application does not match the applicant's name on his or her birth certificate.  
006.03 At the time of application, applicants will:  
006.03A submit to a fingerprint scan or two sets of legible fingerprints;  
006.03B submit to a photograph; and  
006.03C provide an electronic signature, if applying online.  
006.04 Completed applications will be transmitted to the Patrol CID in Lincoln for processing and permit issuance.  
006.05 An application form which is not complete or legible will not be processed. A notice of deficiency will be mailed to the applicant who will have five (5) calendar days to submit information or documents to correct the deficiency. If the deficiency is not corrected within this time period, the application will be returned to the applicant who may reapply.

### 007 REQUIRED DOCUMENTATION

007.01 Identification - The applicant will be required to provide a current Nebraska motor vehicle operator's license, a Nebraska identification card issued by the Nebraska Department of Motor Vehicles, or a current military identification card.  
007.02 Vision - The applicant may show compliance with the vision requirements by presenting a current Nebraska motor vehicle operator's license or a current driver's license issued by any other U.S. state or territory that includes a vision test, or a current statement by a Nebraska licensed ophthalmologist or optometrist certifying that the applicant has been tested and meets the vision requirements prescribed for a Class "0" operator's license ( Neb. Rev. Stat. § 60-4,118) .  
007.03 Citizenship - Applicants are required to be a citizen or a lawful permanent resident of the United States. Proof of citizenship can be an original or certified copy of a birth certificate showing birth in the United States, a copy of naturalization papers, a Certificate of Citizenship issued by the United States Immigration authorities, permanent resident card, Consular Report of Birth Abroad, or a current or expired United States passport.  
007.04 Photograph - A color photograph required for the permit will be taken by the Patrol and will meet the same standard as the Nebraska Department of Motor Vehicles. The photograph will display the full, front head and facial features of the applicant who will not wear sunglasses or attire that obscures a feature of the applicant's face.  
007.05 Fingerprints - Fingerprints of the applicant will be obtained at the time of application by utilizing the LiveScan equipment of the Patrol Automated Fingerprint Identification System (AFIS) if that equipment is available at the application site. If LiveScan equipment is not available, the applicant will be fingerprinted on two legible fingerprint cards.

007.06 Training - The applicant may show compliance with the training requirement by providing either the original or a certified copy of a certificate of completion of a Handgun Training and Safety Course approved by the Patrol or a qualifying military training course. An applicant for a permit who is a Handgun Training and Safety Course certified instructor and who has taught the course, may sign their own certificate of completion of training without attending a class taught by another instructor.

007.07 Military Orders - Members of the United States Armed Forces who need to establish residency as specified in § 005.0111 of these regulations will provide a copy of their permanent duty station orders.

### 008 PERMIT ISSUANCE PROCESS

008.01 Once the application for a permit is complete and all accompanying documentation is submitted, a permit will be issued to the applicant by the Patrol within forty-five (45) calendar days, so long as the record check reveals no disqualifying information and the applicant meets all of the requirements of the Act and these regulations.

008.02 If the applicant does not meet the qualifications, they will be notified by mail indicating the reason for the denial. Applicants who are charged with or under indictment for a crime that would be a disqualification under the Act, if convicted, will have their applications held pending resolution of the criminal charges, at which time the application will be granted or denied.

### 009 FEES FOR PERMITS

009.01 The fees for permit issuance are as follows:

Permit - \$100

Permit renewal - \$50

009.02 All fees will be paid with the application in cash or check made payable to the Nebraska State Patrol, or by e-check, debit or credit cards, or any other payment method approved by the Patrol.

009.03 If a permit is not issued to the applicant, the permit application fee will be refunded to the applicant less the current charge for the required state and federal criminal history record check. State of Nebraska rules require a social security number to issue a refund.

009.04 Any fees charged by a person or entity conducting instruction in the required Handgun Training and Safety Course are the responsibility of the applicant and are not included in the fees listed above.

### 010 RENEWAL OF PERMITS

010.01 Permit holders may renew a permit to carry a concealed handgun within the four (4) months prior to expiration of the initial permit. This may be done online or at any Patrol Troop Headquarters or office listed by the Patrol as accepting permit applications.

010.02 An application for renewal will be completed by the permit holder affirming that they still meet all current requirements for obtaining a permit. The application will be accompanied by the appropriate fee. All applications for renewal will be cleared through the National Instant Criminal Background Check System (NICS) to confirm continuing compliance with statutory requirements.

010.03 A permit holder whose permit becomes ineligible to renew is required to apply for another initial permit and meet all the requirements for an initial permit.

010.04 A permit holder's application for renewal will not be denied based on their first conviction for carrying concealed in a prohibited location (in violation of Neb. Rev. Stat. § 69-2441) that did not occur on property owned by the State of Nebraska or any political subdivision of the State of Nebraska, but their application for renewal may be denied for any second or subsequent such offense.

010.05 An online renewal will cost \$50 plus a service fee and will require a credit card, debit card, or e-check. When renewing online, the Patrol may substitute on the renewal permit, a photograph of the applicant obtained from the Nebraska Department of Motor Vehicles. The Patrol may require an applicant to apply for a renewal in person at one of its offices if their most recent photograph is ten (10) years old or older, if there is an issue regarding their identity or criminal history, or if there is an issue regarding the information provided in or with the application.

## 011 REVOCATION OF PERMITS

011.01 Refer to Neb. Rev. Stat. § 69-2439.

011.02 A permit will not be revoked based on the permit holder's first conviction for carrying concealed in a prohibited location (in violation of Neb. Rev. Stat. § 69-2441) that did not occur on property owned by the State of Nebraska or any political subdivision of the State of Nebraska, but a permit may be revoked for any second or subsequent such offense.

## 012 RIGHTS OF PERSONS DENIED PERMITS

012.01 Persons denied a permit by the Patrol may file a request for an administrative due process hearing to review the denial. A request will be considered timely filed if placed in the United States mail with sufficient postage, properly addressed to the Nebraska State Patrol, Concealed Handgun Permit Program, P.O. Box 94907, Lincoln, Nebraska 68509 within fourteen (14) working days of the mailing of the denial letter to the applicant. No administrative hearing will be afforded applicants who fail to timely file an appeal of the Patrol's denial of a permit.

012.02 If a hearing is held, it will be conducted in accordance with the Nebraska Administrative Procedures Act and the Patrol Rules and Regulations under Title 272

NAC Chapter 1. The petitioner (applicant) will specify through pleadings or at a prehearing conference the basis for the appeal.

012.03 The scope of the hearing will include a review of the application information.

012.04 The Patrol has the burden of proceeding with evidence to show why the application was denied.

012.05 A decision will be made by the Superintendent within fifteen (15) working days of the hearing.

012.06 Appeals from the Superintendent's decision may be filed pursuant to Neb. Rev. Stat. § 69-2430.

012.07 No hearing will be afforded applicants who failed to successfully complete an approved training program.

012.08 Any person initially denied a permit because of failure to submit proper documentation may contact the CID to see if the deficiencies can be corrected.

012.09 Any person denied a permit based on the applicant's Nebraska criminal history information which they believe to be erroneous may contact the CID to challenge the criminal history information per Neb. Rev. Stat. § 29-3525.

012.10 The Superintendent of the Patrol may assign a hearing officer to conduct prehearing conferences and hearings and submit a recommended decision. The hearing officer will follow the rules of procedure as found in 272 NAC 1,

012.11 In the event the Petitioner fails to appear for a hearing, a default disposition will be entered into the record upholding the decision of the Patrol.

#### 013 CHANGE OF NAME OR ADDRESS OF PERMIT HOLDER

013.01 Permit holders who change their name or address are required to notify the Patrol Concealed Handgun Permit Program in writing within thirty (30) days of the change in name or address using the form prescribed by the Patrol.

013.02 A permit holder may obtain a replacement permit by returning the current permit to the Patrol Concealed Handgun Permit Program and submitting an application for a replacement permit. If the applicant still meets the requirements for a permit, the Patrol will issue a replacement permit with the same expiration date as the initial or renewed permit.

013.03 A permit holder may request to pick up the replacement permit in person or have it mailed.

013.04 A permit holder moving to another state will return the permit to the Patrol Concealed Handgun Permit Program for cancellation. The permit is not valid if the permit holder is no longer a resident of Nebraska.

013.05 A permit holder may apply online for a replacement permit. The Patrol may substitute a photograph of the applicant obtained from the Nebraska Department of Motor Vehicles. The Patrol may require an applicant for a replacement permit to apply in person at one of its offices.

#### 014 LOST, STOLEN OR DAMAGED PERMITS

014.01 A permit holder whose permit is lost, stolen, or damaged will notify the Patrol in writing within ten (10) days of determining that the permit is lost, stolen, or damaged. When notified of a lost, stolen, or damaged permit, the Patrol will cancel the permit. The permit holder will not carry a concealed handgun until the Patrol issues a replacement permit.

014.02 A permit holder may obtain a replacement permit by submitting application for replacement using the form prescribed by the Patrol. The replacement form will require a statement about the facts and circumstances surrounding the "lost, stolen or damaged" permit. If the applicant still meets the requirements for a permit, the Patrol will issue a replacement permit that will have the same expiration date as the initial or renewed permit,

014.03 A permit holder whose permit is damaged may return the damaged permit to the Patrol with an application for a replacement permit.

014.04 If a peace officer seizes a permit as evidence of a violation for a criminal case or a revocation proceeding, the officer will notify the Patrol immediately so that the permit will not be replaced as lost or stolen. A form for this purpose will be available on the Patrol website.

014.05 A permit holder whose permit has been lost, stolen or damaged may apply online for a replacement permit. The Patrol may substitute a photograph of the applicant obtained from the Nebraska Department of Motor Vehicles. The Patrol may require an applicant who has had their permit lost, stolen or damaged to apply in person at one of its offices.

### 015 REAPPLICATION AFTER DENIAL OR REVOCATION

015.01 A new application for a permit to carry a concealed handgun will automatically be denied if received from an individual who has previously been denied a permit or whose permit has been revoked, unless the disqualification has been remedied. The applicant has the responsibility to document that the disqualification has been removed.

### 016 PROHIBITED PLACES AND PREMISES

016.01 A permit holder may carry a concealed handgun anywhere except;

016.01A Police, sheriff, or Patrol station or office;

016.01B Detention facility, prison, or jail;

016.01C Courtroom or building containing a courtroom;

016.01D Polling place during a bona fide election;

016.01E Meeting of the governing body of a county, public school district, municipality, or other political subdivision;

016.01F Meeting of the Legislature or a committee of the Legislature;

016.01G Financial institutions as defined by Neb. Rev. Stat. § 8-101(12);

016.01H Professional or semi-professional athletic events;

016.01I School buildings, school grounds, school-owned vehicles, or school-sponsored activity or athletic events of any public, private, denominational, or

parochial elementary, vocational, or secondary school, a private postsecondary career school as defined in Neb. Rev. Stat. § 85-1603, a community college, or a public or private college, junior college, or university (see Neb. Rev. Stat. § 28-1204.04) ;

016.01J Place of worship;

016.01K Hospital, emergency room, or trauma center;

016.01L Political rally or fundraiser;

016.01M Establishment having a liquor license which derives over one-half of its income from the sale of alcoholic liquor;

016.01N Any other place or premises where the carrying or possession of a firearm is prohibited by state or federal law; or

016.01O Any place or premises or employer owned vehicle where those in control of the place, premises or vehicle have prohibited permit holders from carrying concealed handguns.

016.02 A financial institution, notwithstanding § 016.01G above, may authorize its security personnel to carry a concealed handgun while on duty so long as the security personnel have a concealed handgun permit and are in compliance with the law.

016.03 A place of worship, notwithstanding § 016.01J above, may authorize its security personnel to carry a concealed handgun on its property so long as the security personnel have a concealed handgun permit and are in compliance with the law. If security personnel are so authorized, written notice of such authorization will be given to the congregation and, if the property is leased, it may not be in violation of the terms of the property lease agreement between the place of worship and the lessor.

016.04 A person, entity, or employer in control of a place described in § 016.01O above, which is open to the public, may prohibit permit holders from carrying concealed handguns in the place by posting a conspicuous notice that carrying a concealed handgun is prohibited in or on the place or by making a request, directly or through an authorized representative or management personnel, that the permit holder remove the concealed handgun from the place.

016.05 State law does not mandate a specific requirement for a sign other than that it be conspicuously posted, however, the Patrol suggests that a standardized format be utilized. The standardized form should contain a four- (4) inch circle with a slash covering a handgun and text giving notice that carrying a concealed handgun anywhere on the premises is prohibited. A form will be available on the Patrol's website which can be downloaded for printing. The Patrol also recommends that a place or premises wishing to prohibit concealed handguns post the sign at normal eye level at each public entrance to the place or premises. Normal eye level is considered to be between 54" and 66" from the floor,

016.06 Except as prohibited by federal law, a permit holder may carry a concealed handgun in a vehicle or on his or her person while riding in or on a vehicle into or onto any parking area which is open to the public and used by any of the places or premises listed above if the handgun is not removed from the vehicle and the handgun is properly secured in the vehicle before the permit holder exits the vehicle. To be properly secured in the vehicle, the handgun will be locked inside the glove

box, trunk or other compartment of the vehicle, in a storage box attached to the vehicle, or in a securely attached hardened compartment if the vehicle is a motorcycle.

016.07 Employers may prohibit employees or other persons who are permit holders from carrying concealed handguns in vehicles owned by the employer.

016.08 While state law does not mandate, the Patrol recommends that any establishment having a liquor license which derives over one-half of its income from the sale of alcoholic liquor post conspicuous notice of no concealed carry on the premises with the standardized sign.

### 017 OBLIGATIONS OF A PERMIT HOLDER

017.01 At all times while carrying a concealed handgun, a permit holder will carry the following documentation and display it to any peace officer or emergency service personnel upon request:

017.01A The concealed handgun permit; and

017.01B Nebraska driver's license, Nebraska-issued state identification card, or military identification card.

017.02 A permit holder carrying a concealed handgun who is officially contacted by any peace officer or emergency services personnel will immediately inform the peace officer or emergency service personnel of the concealed handgun unless physically unable to do so.

017.03 A peace officer or emergency service personnel making contact with the permit holder may determine that securing the handgun is necessary for the safety of any person present. If requested, the permit holder will immediately surrender or secure the handgun for safekeeping as ordered by the peace officer or emergency service personnel until a determination has been made that there is no concern for safety and that the permit holder will not be detained for law violations or medical treatment. If the permit holder is transported for treatment by emergency service personnel, the handgun is to be turned over to a peace officer as soon as it is feasible to do so. The peace officer will provide the permit holder with a receipt for the handgun which will include make, model, caliber, and serial number.

017.04 A permit holder will not carry a concealed handgun while consuming alcohol or while there is any previously consumed alcohol or controlled substance as defined by Neb. Rev. Stat. § 28-401 in his or her blood, urine, or breath unless the controlled substance was lawfully obtained and taken in therapeutically prescribed amounts.

017.05 A permit holder will continue to meet all of the requirements for issuance of a permit during the time he or she holds a permit. A permit holder no longer meeting the requirements for a permit is required to return the permit to the Patrol for cancellation. A permit holder who fails to return the permit is subject to the formal revocation process described in these regulations. If a permit holder dies or becomes disabled, relatives or other responsible parties are requested to return the permit to the Patrol for cancellation. Permits cannot be transferred to another person. No fees will be refunded for permits which are cancelled or revoked.

017.06 A permit holder who has a handgun or other firearm lost or stolen should notify his or her county sheriff or local police department of that fact. The Patrol will so inform each permit holder at the time of issuance or renewal of a permit.

### 018 REPORTING INJURIES AND DAMAGE CAUSED BY FIREARM OF PERMIT HOLDER

018.01 Any injury to a person or damage to property resulting from the discharge of a handgun carried by a permit holder will be reported by the permit holder to the Patrol within ten (10) days of the incident. The form for making such a report will be available on the Patrol website. The report is not required for minor property damage. A report is required for malicious damage inflicted with a handgun.

### 019 TRAINING AND SAFETY COURSE REQUIREMENTS

019.01 When applying for a permit, an applicant for a concealed handgun permit will submit proof of successful completion of an approved Handgun Training and Safety Course or military documentation evidencing handgun training within the past three (3) years by a member of the active or reserve armed forces or the National Guard. 019.02 To be approved, the training course will have been conducted:

019.02A by an instructor certified by the Patrol;

019.02B utilizing a lesson plan approved by the Patrol;

019.02C after the instructor has been certified by the Patrol, Any courses taught by an instructor prior to being certified will not meet the training requirement for a permit; and

019.02D within the three (3) years immediately preceding the date of application.

### 020 INSTRUCTOR QUALIFICATIONS

020.01 Before instructors will be certified to teach, they will meet and maintain the following qualifications for certification to instruct the Handgun Training and Safety Course approved curriculum:

020.01A Be at least 21 years of age;

020.01B Not be prohibited from purchasing or possessing a handgun by federal law under 18 U.S.C. 922.

020.01C Not be prohibited from purchasing or possessing a handgun by state, tribal, or local law.

020.01D Possess the eyesight necessary for a Class "0" operator's license;

020.01E Not have pled guilty or nolo contendere or been convicted of a felony or crime of violence in any jurisdiction;

020.01F Not currently be adjudged mentally incompetent or have been found to be mentally ill and dangerous in the past ten (10) years;

020.01G Have had no violations of any law relating to firearms, unlawful use of a weapon, or controlled substances in Nebraska or any other jurisdiction in the past ten (10) years;

020.01H Not be on parole, probation, house arrest, or work release for any type of offense of any degree;

020.01I Be a citizen or a lawful permanent resident of the United States; and

020.01J Possess a valid and current firearms instructor certification to teach handgun courses. This can be certification either as a State of Nebraska Certified Firearms Instructor (law enforcement only), a Military Pistol Instructor, a National Rifle Association Certified Pistol Instructor, or instructor in some other program meeting the same standards for instructor certification. It is the applicant's responsibility to demonstrate their program meets the minimum standards for instructor certification.

## 021 INSTRUCTOR CERTIFICATION PROCESS

021.01 Persons wishing to become certified instructors for the required Handgun Training and Safety Course will submit an application form to the Patrol in person at one of the Patrol offices listed in these regulations, together with a copy of a current Firearms Purchase Certificate under Neb. Rev. Stat. §§ 69-2401 to 69-2409, or a current permit issued under the Concealed Handgun Permit Act, or a current Federal Firearms License issued by the United States Bureau of Alcohol, Tobacco, Firearms and Explosives.

021.02 Instructor applicants will be required to present proof of identification, be fingerprinted and photographed, and pay the current fee for processing of a state criminal history record information check.

021.03 Upon completion of the background check, instructor applicants who meet all of the requirements will be certified by the Patrol,

021.04 The instructor certification is valid for a period of three (3) years unless sooner revoked. An instructor wishing to renew the instructor certification will:

021.04A submit a new application for instructor certification; and

021.04B submit to fingerprinting and pay the fee for a new criminal history information check.

021.05 Upon verification that the firearm safety instructor meets the qualifications for an instructor, the Patrol will renew the registration of the instructor and notify the instructor.

021.06 Failure to maintain the requirements set out in these regulations or failure to abide by the rules and regulations is cause for revocation of the firearms safety instructor's certification by the Patrol.

021.07 Upon remedy of the reason(s) for revocation of the instruction certification, a new application may be submitted to the Patrol. An instructor whose certificate is revoked will not teach the Handgun Training and Safety Course nor advertise that an approved program is taught.

## 022 HANDGUN TRAINING AND SAFETY COURSE INSTRUCTOR OBLIGATIONS

022.01 An instructor will notify the Patrol in writing within ten (10) days of any change of their name, business name, address, or telephone number.

022.02 For each individual who receives instruction in the Handgun Training and Safety Course, the instructor will complete a class information form containing the following minimum information and submit it to the Patrol within fifteen (15) days of completion of the training:

022.02A Full name, gender, age, and date of birth of the individual taking the course at the time training commenced;

022.02B Student's complete address, phone number, and driver's license or Nebraska identification card number;

022.02C Student's written test scores and shooting qualification scores;

022.02D Dates and number of hours of each training session;

022.02E Physical location of each training session;

022.02F Name of each instructor and any assistant or co-instructor conducting the training sessions;

022.02G Whether the individual passed, failed, or withdrew from the program; and

022.02H A copy of all training materials, practical exercises, tests and class records. It is not necessary to repeatedly submit identical copies of training materials. If part of the materials are identical to those previously submitted, the instructor will so note when submitting class records.

022.03 The Patrol prefers that the required class records be submitted electronically. If instructors are not able to submit electronically, paper copies will be accepted.

### 023 TRAINING COURSE ADMINISTRATION

023.01 The instructor or entity providing training will provide the Patrol a schedule of planned courses, to include the date, time and location of each course, a minimum of ten (10) days prior to the start of the course. Exceptions may be made at the discretion of the Patrol.

023.02 The Handgun Training and Safety Course will be of sufficient length to cover all course materials as approved by the Patrol.

023.03 All training will be conducted in person by an instructor certified by the Patrol. Videotapes of the instructor instructing, and distance learning are not acceptable. This does not preclude the use of multi-media to enhance learning.

023.04 Range training will be live fire exercises and will be conducted at a firing range.

023.05 A maximum of 25 students per class will be allowed.

023.06 Instructor to student ratios:

Classroom - 1 instructor to 25 students

Range/practical exercises - 1 instructor to 5 students

Instructors are encouraged, to have a secondary Range Safety Officer present with the instructor during the live fire exercises.

023.07 The instructor will provide each student with the following:

023.07A Outline of the material instructed;

023.07B Current copy of the Concealed Handgun Permit Act;

023.07C Current copy of the Concealed Handgun Permit Act Rules and Regulations; and

023.07D Printed information on how and where to apply for the concealed handgun permit.

023.08 The Patrol may attend any Handgun Training and Safety Course presented for the purposes of auditing the content of the instruction. In order to enhance knowledge of the content of this training course, instructors are encouraged to invite local law enforcement officers and emergency service personnel to monitor courses they teach.

023.09 Upon completion of the Handgun Training and Safety Course, the instructor will issue a certificate of completion to each student who passes the course. The certificate of completion will be on the form provided by the Patrol and will contain the following information:

- 1) Instructor's printed name;
- 2) Instructor's signature;
- 3) Course location;
- 4) Course date;
- 5) Student's name;
- 6) Student's driver's license or Nebraska identification card number;
- 7) Student's fingerprint from his or her right index finger;
- 8) Statement concluding the student has met the course requirements; and
- 9) Statement concluding the student does not suffer from a readily discernible physical infirmity that prevents the person from safely handling a handgun.

## 024 TRAINING COURSE CONTENT

024.01 The instructor of a Handgun Training and Safety Course is required to provide a Handgun Training and Safety Course Lesson Plan to the Patrol. Before it can be used, the Lesson Plan will meet the minimum standards for the course and be approved by the Patrol. Significant deviation from a lesson plan is unacceptable and may result in the revocation of the instructor's certification. Additionally, deviations may result in rejection of student's permit application.

024.02 The following will be the minimum information instructed to the participants of any Handgun Training and Safety Course. An instructor may supplement the Lesson Plan but may not teach material which is inconsistent with the plan.

024.03 The minimum safety and training requirements for a Handgun Training and Safety Course include, but are not limited to:

024.03A Knowledge of ways to avoid a criminal attack and to defuse or control a violent confrontation;

024.03B Knowledge of operation and safe handling of a handgun;

024.03C Knowledge of and safe handling of handgun ammunition;

024.03D Knowledge of proper storage practices for handguns and ammunition, including storage practices which would reduce the possibility of accidental injury to a child;

024.03E Safe handgun shooting fundamentals;

## Appendix A – Nebraska Administrative Code



024.03F Knowledge of federal, state, and local laws pertaining to the purchase, ownership, transportation, and possession of handguns; and

024.03G Knowledge of federal, state, and local laws pertaining to the use of a handgun including, but not limited to, use of a handgun for self-defense and laws relating to justifiable homicide and the various degrees of assault.

024.04 Applicants will demonstrate competency in handling and shooting a handgun with respect to the minimum safety and training requirements:

024.04A Students will complete practical exercises which include practice shooting on the range. These exercises will include but are not limited to the following: drawing and firing drills, precision shooting drills, and decision making (shoot/don't shoot) drills. The number of rounds to be fired in practice by each student will be determined by the instructor.

024.04B The Patrol will set the qualification course for the demonstration of competency. The course will be 30 rounds with varying distances. The target used will be the FBI "Q" target. A score of 70 percent is the minimum to demonstrate competency. Participants in the Handgun Training and Safety Course will be allowed three attempts to demonstrate competency.

024.04C Qualification Course

Distance	Number of Rounds
3 feet	Six (6)
** Two rounds per command to fire. One (1) repetition will be from a concealed draw**	
9 feet	Twelve (12)
** Two rounds per command to fire. Three (3) repetitions will be from a concealed draw**	
15 feet	Six (6)
** Two rounds per command to fire. One (1) repetition will be from a concealed draw**	
21 feet	Six (6)
** Two rounds per command to fire. One (1) repetition will be from a concealed draw**	
024.05 Applicants will take a written test consisting of a minimum of 30 questions. The Patrol will provide the test questions. A score of 70 percent is the minimum passing score.	

025 PENALTIES

025.01 Under Neb. Rev. Stat. § 69-2430(2) an applicant for a concealed handgun permit who provides false information or offers false evidence of his or her identity is guilty of a Class IV felony and is subject to revocation of the permit in a civil prosecution.

025.02 Under Neb. Rev. Stat. § 69-2443 a permit holder who fails to carry the required documents when carrying a handgun or who fails to inform of the presence of a handgun when officially contacted by a peace officer or by emergency services personnel is guilty of a Class III misdemeanor for the first offense and a Class I misdemeanor for any second or subsequent offense and is subject to a revocation of the permit in a formal civil prosecution.

025.03 The following offenses are classified as Class III Misdemeanors for the first offense and as Class I Misdemeanors for the second or subsequent offense:

- \* Permit holder carrying a concealed handgun into a prohibited place or premises.
- \* permit holder carrying a concealed handgun while consuming alcohol.
- \* Permit holder carrying a concealed handgun while having alcohol or any controlled substance (except therapeutically prescribed amounts of legal substances) remaining in their blood, urine, or breath.
- \* Permit holder failing to file a report with the Patrol following an injury to a person or damage to property caused by the discharge of a concealed handgun carried by the permit holder.

025.04 The following offense is classified as a Class I Misdemeanor:

- \* Permit holder not submitting to an order to secure a handgun during a contact with a peace officer or emergency services personnel.

Since the adoption of the Nebraska Concealed Handgun Permit Act in 2006, a controversy has arisen with regard to whether a municipality may "opt out" of the law and prohibit conceal carry handguns by ordinance. The Nebraska Concealed Handgun Permit Act went into effect on January 1, 2007.

On November 21, 2008, Senator Mark Christensen formally requested an opinion from Attorney General Jon Bruning on the issue. Specifically, Senator Christensen asked if the language of the act preempts the authority of local political subdivisions to ban by ordinance the carrying of concealed handguns by permit holders within their jurisdictions.

On January 14, 2009, Attorney General Bruning officially responded to the inquiry, stating in part: "It is our opinion that the Concealed Handgun Permit Act has preempted any local political subdivision ordinances banning the concealed carrying of handguns within their jurisdictions, at least to the extent that such ordinances may be deemed to apply to permit holders under the act."

LB 430, offered by Senator Christensen, attempts to clarify the issue in statute. The bill states that cities and villages do not have the power to regulate the ownership, possession, or transportation of firearms, except as expressly provided by state law. The measure further states that any existing ordinances, permits, or regulations regulating the ownership, possession, or transportation of firearms are declared null and void. This will impact those few cities in Nebraska that have adopted ordinances to ban conceal carry handguns.

LB 430 also makes a number of changes to the Act in terms of administration and permit applications. The bill provides a reciprocity clause such that a valid license or permit to carry a concealed handgun issued by any other state or the District of Columbia would be recognized as valid in Nebraska if:

- the holder of the license or permit is not a resident of Nebraska and
- the Attorney General has determined that the standards for issuance of such license or permit by such state or the District of Columbia are equal to or greater than the standards imposed by the Nebraska Concealed Handgun Permit Act.

The Attorney General is required to maintain and publish a list of states and the District of Columbia that have standards equal to or greater than the standards imposed by the Nebraska law.

An article from the Lincoln Journal Star, January 14, 2009, 12:00 am, Associated Press (used with permission):

*Nebraska cities aren't allowed to trump state law and ban the carrying of concealed weapons.*

*That's the legal opinion of Attorney General Jon Bruning's office in response to questions from Sen. Mark Christensen of Imperial, who supports laws allowing residents to carry concealed guns.*

*The opinion from Bruning's office does not force cities to repeal their bans and comply with a state law passed in 2006. That law allows residents to carry concealed guns after taking safety courses and obtaining permits.*

*But Christensen said he hopes the opinion will cause cities to remove their bans, and if they don't, motivate residents to challenge the bans in court.*

*"I love it," Christensen said of the legal opinion, which was released on Wednesday. "It's exactly what I wanted."*

*Christensen, who used to have a sign in front of his Capitol office mocking rules against concealed weapons, said he won't introduce a bill this session forcing cities to repeal their bans.*

*The legal opinion took some city officials by surprise on Wednesday. They thought the 2006 law clearly allowed cities to have their own laws banning concealed weapons.*

*Thirteen Nebraska cities have prohibitions against carrying concealed weapons, according to information compiled by the Nebraska State Patrol in 2007. They are: Beatrice; Columbus; Crawford; Hastings; Holdrege; Kearney; Lexington; Norfolk; O'Neill; Scottsbluff; Seward; South Sioux City and Wayne.*

*"Who's responsible for local communities? The local community or Lincoln?" said Hastings Police Chief Larry Thoren when told of the legal opinion.*

*Beatrice Police Chief Bruce Lang said he believed the city's ban on concealed weapons may help decrease outbreaks of violence.*

*He said concealed weapons create "more opportunities for weapons to be placed in bad situations," such as domestic disputes.*

*About 4,730 Nebraskans have conceal-carry permits, according to the patrol.*

*When lawmakers discussed and then passed the law in 2006, it was widely assumed that cities could pass, or continue enforcing, laws barring concealed weapons.*

*"We felt it very explicitly gave cities the right to 'opt out' of the state law, said Sen. Galen Hadley of Kearney. Hadley was mayor of Kearney when the state law was passed; Kearney has had an ordinance on the books since the 1930s prohibiting people from carrying concealed weapons in town.*

*While nothing in the state law explicitly says it trumps local laws, it isn't necessary for such an intent to be spelled out, Assistant Attorney General Charles Lowe wrote in the opinion released Wednesday.*

*Court rulings, he said, have established that when the state begins regulating realms not already widely regulated, cities then lack authority to legislate in those areas.*

*“The Concealed Handgun Permit has set forth the overall policy of the state when it comes to the carrying of concealed handguns ...therefore, cities and villages lack authority to legislate for themselves with respect to this subject,” Lowe wrote.*

*Lowe also explained that the 2006 law says it applies “throughout the state” and “anywhere in Nebraska” and that that language cannot reasonably be interpreted to mean cities could be exempted.*

*But those who believed cities could pre-empt the law pointed to a section of the law that says concealed guns can be carried anywhere “except ... into or onto any other place or premises where handguns are prohibited” by local laws. Lowe said that because the state law gives specific places where guns aren’t be allowed, the term “places or premises” should also be interpreted to mean specific locations, not entire cities.*

*“Nothing in any of these other exceptions suggests that the Legislature intended to limit its statement that a ‘permit holder may carry a handgun anywhere in Nebraska’ to such a degree that entire cities and villages could be deemed off-limits to concealed handguns,” Lowe wrote.*

*Sen. Tom Carlson of Holdrege said that by allowing the local bans to stand, someone legally driving on a highway with a concealed gun is automatically, and unreasonably, a criminal once he passes through a town that prohibits concealed weapons.*

*“On the other hand, you like local entities to be able to make their own decisions,” Carlson said.*





# **LINCOLN AND OMAHA CITY ORDINANCES**

Lincoln City Ordinances

Chapter 9.36

WEAPONS

9.36.010 Discharge of Firearms Unlawful.

9.36.020 Minors Not to be Furnished with Firearms, Ammunition or Weapons.

9.36.025 Firearms Offered for Sale at Retail; Access Restricted.

9.36.030 Report of Sale of Firearms.

9.36.032 Report of Theft of Firearms.

9.36.035 Unlawful to Sell or Possess Multiburst Trigger Activators.

9.36.040 Unlawful to Sell or Possess Switch-Blade Knife.

9.36.050 Discharge of Weapons and Other Instruments Unlawful.

9.36.060 Toy Guns or Slingshots That Discharge Dangerous Missiles Not to be Carried.

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9.36.150 Definitions.

9.36.010 Discharge of Firearms Unlawful.

It shall be unlawful for any person, except as provided in this chapter, to fire or discharge any gun or firearm, including any pistol, revolver, shotgun, or rifle, within the corporate limits, or on any property of the City of Lincoln outside of the corporate limits. (Ord. 15625 §1; July 9, 1990: P.C. §9.28.010: Ord. 9382 §1; January 22, 1968: prior Ord. 3489 §9-101, as amended by Ord. 6513; December 3, 1956).

9.36.020 Minors Not to be Furnished With Firearms, Ammunition or Weapons.

It shall be unlawful for any person to sell, loan, or furnish to any minor any gun, fowling piece, or other firearm, any ammunition or component thereof, or any pocket knife having a blade more than three and one-half inches in length; provided, it shall be lawful to sell, loan, or furnish shotguns or rifles, of a type commonly used for hunting, and any ammunition or component thereof for the same, to persons eighteen years of age or older.

This section shall not apply to delivery or transfer of rifles or shotguns or ammunition or components thereof to a juvenile:

By the juvenile's parent or legal guardian for a legitimate and lawful sporting purpose; or

Who is under direct adult supervision in an appropriate educational or competitive shooting program. (Ord. 17529 § 1; July 19, 1999: prior Ord. 15625 §2; July 9, 1990: P.C. §9.28.020: Ord. 3489 §9-102, as amended by Ord. 6675; November 25, 1957).

9.36.025 Firearms Offered for Sale at Retail; Access Restricted.

It shall be unlawful for any person to display for sale at retail any firearm, reloading components of ammunition for firearms, or any ammunition for handguns, without such firearm, reloading components, or ammunition for handguns being secured so as to cause them to be inaccessible without the assistance of authorized sales personnel of the retailer. (Ord. 20037 §1; June 16, 2014: prior Ord. 16975 §1; April 29, 1996).

9.36.030 Report of Sale of Firearms.

Any person, firm, association, or corporation dealing in firearms of any type shall, on the same day of the sale of any firearm, except a shotgun or a rifle of a type commonly used for hunting, report the sale to the Police Department on forms as prescribed and furnished by the Police Department. The report shall contain all the information requested thereon. (Ord. 15625 §3; July 9, 1990: P.C. §9.28.025: Ord. 15443 §1; February 20, 1990: prior Ord. 7936 §1; December 26, 1962).

9.36.032 Report of Theft of Firearms.

If a firearm is lost or stolen within the city limits, the person who owned or was in possession of the firearm shall report the theft or loss to the Police Department. The report shall be made within 48 hours after the theft or loss is first discovered and shall include, to the extent known:

The firearm's caliber, make, model, manufacturer, and serial number; and  
Any other distinguishing mark on the firearm.

(Ord. 20830 §1; September 30, 2019:).

9.36.035 Unlawful to Sell or Possess Multiburst Trigger Activators.

It shall be unlawful for any person to sell, give away, or furnish to another person any device meeting the definition of multiburst trigger activator and it shall be unlawful for any person to have in his or her possession, custody, or control any device defined as a multiburst trigger activator within the corporate city limits of the City of Lincoln. (Ord. 20652 §1; March 26, 2018).

9.36.040 Unlawful to Sell or Possess Switch-Blade Knife.

It shall be unlawful for any person to sell, give away, or furnish to another person any switch-blade knife; and it shall be unlawful for any person to have in his or her possession, custody, or control any switch-blade knife. (Ord. 15625 §4; July 9, 1990: P.C. §9.28.030: Ord. 3489 §9-101.1, as amended by Ord. 6284; February 20, 1956).

### **9.36.050 Discharge of Weapons and Other Instruments Unlawful.**

It shall be unlawful for any person, except as provided in this chapter, to fire or discharge, within the corporate limits, or on any property of the City of Lincoln outside of the corporate limits, any air rifle, toy pistol, toy gun, slingshot, or any other air, gas, or spring operated gun, weapon, apparatus, or instrument for the purpose of throwing or projecting missiles of any kind by any means whatsoever in such a manner as to endanger the safety of persons or property, whether the instrument is called by any name set forth above or by any other name. (Ord. 15625 §5; July 9, 1990: P.C. §9.28.040: Ord. 9382 §2; January 22, 1968: prior Ord. 3489 §9-103; July 6, 1936).

### **9.36.060 Toy Guns or Slingshots That Discharge Dangerous Missiles Not to be Carried.**

It shall be unlawful for any person to carry about his or her person any toy pistol, toy gun, or other toy arm or arms, or slingshot, out of or by which any leaden or other dangerous missiles may be discharged. (Ord. 15625 §6; July 9, 1990: P.C. §9.28.050: Ord. 3489 §9-104; July 6, 1936).

### **9.36.070 Minors Not to be Furnished With Toy Guns or Slingshots That Discharge Missiles.**

It shall be unlawful for any parent, guardian, or other person having the care and custody of any minor, to purchase for or give to any such minor or knowingly to permit any such minor to have any toy pistol, toy gun, or other toy arm or arms, or slingshot, out of which any leaden or other dangerous missiles may be discharged. (Ord. 15625 §7; July 9, 1990: P.C. §9.28.060: Ord. 3489 §9-105; July 6, 1936).

### **9.36.080 Exemptions.**

The provisions of Sections 9.36.010 and 9.36.050 shall not apply to (a) licensed shooting galleries or archeries; (b) any range operated, supervised, and maintained by the United States of America, the State of Nebraska, or any governmental subdivision thereof, when in connection with an educational or training program and upon property owned or leased by the United States of America, the State of Nebraska, or subdivision or agency thereof; (c) a private building within which the instrument is fired, discharged, or operated in such a manner as to prevent the missile projected from traversing in the space outside of the private building; (d) any law enforcement officer in the performance of such officer's duties; (e) any agent or employee of a political subdivision engaged in

controlling the bird or animal population on property owned, leased, or controlled by such political subdivision when authorized by such political subdivision for the protection of the public health, safety, or welfare; (f) any hunt authorized by the City of Lincoln conducted under the supervision of the Nebraska Game & Parks Commission in connection with an educational or training program and/or for the purpose of controlling animal population on property owned, leased or controlled by the City of Lincoln; and (g) any City recognized homeowner association, located in a flight pattern designated by the Lincoln Airport Authority and in need of bird control, may engage in nonlethal means of controlling the bird population on property owned, leased or controlled by the homeowner association when authorized by the City of Lincoln and while under the supervision of the Nebraska Game & Parks Commission for the protection of the public health, safety, or welfare. The Lincoln Airport Authority must file with the City Clerk a copy of the flight patterns and areas in which control of the bird population is necessary. (Ord. 19311 §1; October 5, 2009: prior Ord. 18110 §1; December 9, 2002: Ord. 17377 §1; July 13, 1998: Ord. 15625 §8; July 9, 1990: P.C. §9.28.130: Ord. 9382 §3; January 22, 1968: Ord. 3489 §9-112, as amended by Ord. 4382; March 8, 1943).

**9.36.090 Transporting Explosives; Port of Entry; Routes; Penalty.**

It shall be unlawful for any person, firm, or corporation to convey, or transport through any street, avenue, alley, or other public place within the city, any dynamite, nitro-glycerine, gunpowder, guncotton, TNT, or any other explosive material, with the exception of legal fireworks, without first having stopped at a port of entry hereinafter designated, and having notified the Police Department of the city of their intention to move said vehicle within or through the city and requesting a police escort. Such vehicle, or vehicles, shall follow such route, or routes, as may be designated to them by such police escort. The City Council shall, by resolution, designate ports of entry at which all such vehicles shall stop. (Ord. 20604 §1; December 11, 2017: prior Ord. 15625 §9; July 9, 1990: P.C. §9.28.150: Ord. 5633 §§ 1,2; October 21, 1953).

**Lincoln Municipal Code 9.36.100; Unlawful Possession of Firearms.**

**Criminal Prohibitors**

It shall be unlawful for any person to possess any firearm within the corporate limits or on any property of the City of Lincoln outside the corporate limits when that person has been convicted of any one of the following offenses within the last ten years:

- Stalking in violation of Neb. Rev. Stat. § 28-311.03 or any other comparable or similar state statute from another state;
- Violation of a protection order as set forth in Neb. Rev. Stat. § 42-924 or Violation of a foreign protection order as set forth in Neb. Rev. Stat. § 42-931;
- False imprisonment in the second degree in violation of Neb. Rev. Stat. § 28-315;

- Sexual assault in the third degree in violation of Neb. Rev. Stat. § 28-320;
- Impersonating a peace officer in violation of Neb. Rev. Stat. § 28-610 or Impersonating police officer in violation of Lincoln Municipal Code § 9.08.060;
- Debauching a Minor in violation of Neb. Rev. Stat. § 28-805;
- Obstructing government operations in violation of Neb. Rev. Stat. § 28-901;
- Resisting arrest in violation of Neb. Rev. Stat. § 28-904;
- Resisting officer in violation of Lincoln Municipal Code § 9.08.030;
- Obstructing a peace officer in violation of Neb. Rev. Stat. § 28-906;
- Interfering with an officer making an arrest in violation of Lincoln Municipal Code § 9.08.020;
- Carrying concealed weapon in violation of Neb. Rev. Stat. § 28-1202;
- Criminal child enticement in violation of Neb. Rev. Stat. § 28-311;
- Implements for escape in violation of Neb. Rev. Stat. § 28-913;
- Unlawful possession of explosives, second degree in violation of Neb. Rev. Stat. §28-1216;
- Use of explosives without a permit in violation of Neb. Rev. Stat. § 28-1218;
- Concealing the death of another person in violation of Neb. Rev. Stat. § 28-1302;
- Minors not to be furnished with firearms, ammunition, or weapons in violation of Lincoln Municipal Code § 9.36.020;
- Discharge of firearms unlawful in violation of Lincoln Municipal Code § 9.36.010;
- Assault in the third degree in violation of Neb. Rev. Stat. § 28-310;
- Assault and battery, menacing threats in violation of Lincoln Municipal Code §9.12.010;
- Unlawful intrusion in violation of Neb. Rev. Stat. § 28-311.08;
- Violation of custody in violation of Neb. Rev. Stat. § 28-316;
- Domestic assault in violation of Neb. Rev. Stat. § 28-323;
- Criminal trespass in the first degree in violation of Neb. Rev. Stat. § 28-520;
- Contributing to the delinquency of a child in violation of Neb. Rev. Stat. § 28-70
- Public indecency in violation of Neb. Rev. Stat. § 28-806;
- Public indecency or indecent exposure in violation of Lincoln Municipal Code § 9.16.180;
- Operating a motor vehicle or vessel to avoid arrest in violation of Neb. Rev. Stat. § 28-905;
- Fleeing in a vehicle to avoid arrest in violation of Lincoln Municipal Code § 10.14.280;
- Any violation of the Uniform Controlled Substances Act as set forth in Neb. Rev. Stat. §§ 28-401 to 28-456.01;
- Toxic compounds, unlawful use in violation of Lincoln Municipal Code §9.16.110; or
- Criminal attempt in violation of Neb. Rev. Stat. § 28-201 for any of the state crimes listed above.

### **DUI Prohibitors**

It shall be unlawful for any person to possess any firearm within the corporate limits or

on any property of the City of Lincoln outside the corporate limits when that person has

been convicted of two or more of the following offenses within the last ten years:

- Driving under the influence of alcoholic liquor or drugs in violation of Neb. Rev. Stat. § 60-6,196;
- Driving under the influence of alcoholic liquor or drugs in violation of Lincoln Municipal Code § 10.16.030;
- Implied consent to submit to chemical test, refusal in violation of Neb. Rev. Stat. §60-6-197;
- Chemical test, refusal in violation of Lincoln Municipal Code §10.16.040; or
- Any conviction under a law of another state or municipality if at the time of the conviction under said law the offence for which the person was convicted would have been a violation of Neb. Rev. Stat. §§ 60-6,196 or 60-6,197.

### **Exemptions**

The provisions of this section shall not apply to (1) the issuance of firearms or the possession by members of the Armed Forces of the United States, active or reserve, the National Guard of this state, or Reserve Officers Training Corps, when on duty or training; or (2) a peace officer as defined by Neb. Rev. Stat. § 28-109(14). (Ord. 19060 §1; March 24, 2008; prior Ord. 18793 §1; August 21, 2006; Ord. 18158 §1; April 7, 2003).

### **9.36.110 Firearms in Unattended Motor Vehicle; Unlawful.**

It shall be unlawful for any person to keep a firearm in a motor vehicle which is not occupied and/or is outside the immediate control of the person responsible for the vehicle unless the motor vehicle is locked and the firearm is not visible from outside the vehicle.

The provisions of this section shall not apply to members of the Armed Forces of the United States, active or reserve, the National Guard of this state, or Reserve Officers Training Corps, when on duty or training, or peace officers or other duly authorized law enforcement officers, nor shall it apply to vehicles containing firearms that are parked in locked enclosures or buildings, such as garages or other storage facilities.

Any person violating any provisions of this section for the first or second offense shall be guilty of an infraction. Any person violating any provisions of this section for a third or subsequent offense shall be guilty of a misdemeanor. (Ord. 20836 §1; October 28, 2019; Ord. 18158 §2; April 7, 2003).

### **9.36.120 Firearm; Defined.**

For purposes of Sections 9.36.100 and 9.36.110 of the Lincoln Municipal Code, "firearm" shall mean any weapon which is designed to or may be readily converted to expel any projectile by action of an explosive or frame or receiver of

any such weapon including, but not limited to, any pistol, revolver, shotgun, or rifle. (Ord. 18158 §3; April 7, 2003).

**9.36.130 Possession of Firearms and Dangerous Weapons in City and/or County Facilities; Prohibited.**

It shall be unlawful for any person to knowingly possess or cause to be present a firearm or other dangerous weapon in a city and/or county facility.

This section shall not apply to possession of a firearm or other dangerous weapon by:

An officer, agent, or employee of a state or a political subdivision thereof who is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of law, while in the lawful performance of official duties.

Licensed shooting galleries or archeries.

Any range operated, supervised, or maintained by the State of Nebraska or any political subdivision thereof when in connection with an educational or training program.

Authorized shows, performances and/or exhibitions displaying or using guns and/or knives. (Ord. 18794 §1; August 21, 2006).

**9.36.140 Possession of Firearms and Dangerous Weapons in Domestic Violence and Substance Abuse Facilities or Shelters; Prohibited.**

It shall be unlawful for any person to knowingly possess or cause to be present a firearm or other dangerous weapon in a domestic violence victim facility or shelter or substance abuse treatment center licensed by the State of Nebraska.

This section shall not apply to possession of a firearm or other dangerous weapon by an officer, agent, or employee of a state or a political subdivision thereof who is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of law, while in the lawful performance of official duties. (Ord. 18794 §2; August 21, 2006).

**9.36.150 Definitions.**

For the purposes of Sections 9.36.035, 9.36.130, and 9.36.140 the following words shall have the following meanings:

City and/or county facility shall mean a building or part thereof owned or leased by the City of Lincoln Nebraska and/or Lancaster County or which is used as offices for any city and/or county employee.

Dangerous weapon shall mean any firearm, stun gun, knife, switchblade knife, any gun which releases any propelled object by spring mechanism, compressed air or compressed gas, or any other instrument the use of which is intended or likely to cause death or bodily injury;

Knife shall mean any dagger, dirk, knife, or stiletto with a blade over three and one-half inches in length or any other dangerous instrument capable of inflicting cutting, stabbing, or tearing wounds;

Multiburst trigger activator shall mean either: (a) a device designed or redesigned to be attached to a semiautomatic firearm which allows the firearm to discharge two or more shots in a burst by activating the device; or (b) a trigger-activating device, whether manual or power-driven, that is constructed and designed so that when such device is attached to a semiautomatic firearm the rate of fire of such firearm is increased.

Stun gun shall mean any handheld electronic device that is powered by an internal power source such as batteries, and that is capable of introducing an electrical current into the body of a person which shall be capable of disrupting a person's central nervous system and rendering the person temporarily incapable of normal functioning, for any period of time whatsoever. The electrical current may be introduced into the human body by means of direct pressure to the body from fixed electrodes on the electronic device and/or by one or more electrodes attached to a length of wire or other connection and which upon being fired from a firearm or any other mechanical device, strikes the human body and produces the reaction described herein. (Ord. 20652 §2; March 26, 2018; prior Ord. 18794 §3; August 21, 2006).

**City of Omaha Q & A**

(<https://police.cityofomaha.org/services/citizen-services/handgun-registration>)

**1. Who is required to register concealable firearms with the City of Omaha/Omaha Police Department?**

Omaha Municipal Code 20-251 requires that all concealable firearms inside the city limits of Omaha be registered. Regardless of where a person resides, concealable firearms inside the city of Omaha are required to be registered with the Omaha Police Department.

Persons whom are valid Nebraska CCW permit holders (or any other State which Nebraska has reciprocity with) are not required to register concealable firearms and can be in possession of concealable firearms which are not registered.

**2. Can I get a permit to carry a concealed handgun?**

Please refer to the [Nebraska State Patrol](#) website for information regarding the proper procedure to get a permit to carry a concealed handgun.

**3. I live in Douglas County but not in the City of Omaha and wish to purchase a handgun. What do I do?**

You must go to the Douglas County Sheriff's Office to make application for a handgun purchase certificate. You will be asked to produce a valid Nebraska driver's license or valid state or U.S. Military photo I.D.

The Sheriff will require a minimal fee along with this application. Once the certificate is issued, you may then go to the dealer of your choice and purchase the firearm. The handgun purchase certificate is valid statewide for three years.

This business can be conducted at the following location:

Douglas County Sheriff's Office

Law Enforcement Center

3601 North 156th Street,

Tel: **402-444-6641**

**4. I am a resident of the City of Omaha and wish to purchase a handgun. What do I do?**

Your first step is to go to the [Douglas County Sheriff's Office](#) and apply for a handgun purchase certificate. With that certificate in hand, you can then go to the dealer of your choice and select the weapon you wish to purchase.

The dealer may then give you the paperwork necessary to register the concealable firearm with the [OPD's Central Headquarters](#) located at 505 South 15th Street, **(402) 444-5818**.

The concealable firearm will be delivered to you by the dealer once you return with the registration card.

### **5. What does the Omaha Police Department require to register a concealable firearm?**

There is a \$15.00 fee to register a concealable firearm. You must also bring the concealable firearm and a satisfactory photo identification card to OPD Headquarters at 505 South 15th Street.

The Police Department will issue you a registration card provided you meet the qualifications of ordinance 20-253 and there is nothing in your criminal history which would serve as cause to deny the registration.

### **6. A close relative is giving me a handgun to keep. Does that make a difference?**

Yes. Nebraska State Statute 69-2403 specifies that a handgun purchase certificate is not necessary if "the transfer is between a person and his or her spouse, sibling, parent, child, aunt, uncle, niece, nephew, or grandparent".

If the concealable firearm will physically be in the City of Omaha, however, you must still register the concealable firearm with the OPD at Central Headquarters located at 505 South 15th Street. Again, you will need a valid photo identification and must present the firearm to the officer at the front desk at the time of your appointment.

### **7. What sort of events in my past can disqualify me for the registration of a concealable firearm?**

When you apply for a handgun purchase certificate or attempt to register a concealable firearm with the Omaha Police, there will be a nationwide computer search of your criminal history. Any of the following may be cause for rejection of your application

You must:

- Be a citizen of the United States of America or a permanent resident.
- Be over 21 years age of age.
- Have never been convicted of a felony.
- Not currently be the subject of an active Protection Order.
- Not have provided false information on the registration request.
- Not have any previous convictions for carrying concealed weapons or convictions for being a minor in possession of a firearm.
- Not have any convictions within the past five years of assault, child abuse or violation of any provisions of Chapter 20, Article VII of the Omaha Municipal Code.
- Not have any conviction for a charge of domestic violence including stalking or harassment.
- Not have been adjudicated in the previous 10 years to be mentally ill or dangerous.
- Not be a fugitive from justice, on parole, probation, house arrest, or work release.
- Not have been dishonorably discharged from the United States Armed Forces.

- Not be a user of or addicted to unlawful controlled substances, or have convictions relating to controlled substances, including possession of marijuana less than one ounce, or possession of drug paraphernalia in the past 10 years.

### **8. How can I safely and legally bring a handgun to the Police Department?**

The unloaded handgun must be presented to an officer at the front desk in a case or a container of some type. Preferably this would be a locked container.

### **9. I am a collector and have several firearms that I would like to register with the Police Department. What then?**

Time does not allow the officers at the front desk to register more than three firearms at once. If you have more than three, you can choose to either schedule appointments to bring in three firearms at one time or leave the entire collection with us to process as time allows.

### **10. Once I have registered my firearm, successfully completed a safety course and have received a City of Omaha Handgun Identification Card, what should I do when contacted by police?**

If you are contacted by a law enforcement officer, we suggest that you place both your hands on the outside of the vehicle (palms up) and immediately tell the officer that you are legally in possession of a firearm. Do not make any sudden moves and do not make any other movement until you receive instructions from the officer on what to do next.

If you are a CCW Permit holder, you must follow all guidelines as determined by the Nebraska State Patrol and your training when you come into contact with law enforcement. Failure to do so could result in your permit being revoked, criminal charges or both.

### **11. Can individuals sell guns on Facebook or Social Media sites?**

Private citizens may sell firearms to one another; however, Facebook and Craigslist, for example, have their own rules which prohibit people from selling firearms on their sites. The majority of the time, if there is a firearm-for-sale post, the companies remove it as soon as they become aware. If some posts do fall through the cracks, it usually comes to the attention of the police department in the form of a Crime Stoppers tip or a phone call to the Firearms Squad. Usually, by the time investigators attempt to follow up on the post, it has been removed. There are actual gun brokers which are online and allowed to buy and sell firearms. They have the necessary permits and/or permissions through the ATF (Alcohol, Tobacco, Firearms) which allow them to do this.

### **12. Can a Nebraska CCW Permit holder open carry in the City of Omaha?**

Omaha Municipal Code 20-206 prohibits people from carrying concealable firearms (handguns) in the open within the City of Omaha limits with some exceptions. One exception is obtaining a concealed handgun permit through the Nebraska State Patrol. Access the following link to obtain more information about getting a concealed handgun permit:

[Nebraska State Patrol](#)

The Nebraska Concealed Handgun Permit (CHP) which is issued by the Nebraska State Patrol allows a person to carry a concealable firearm (handgun) concealed on or about their person. In the City of Omaha, this particular permit DOES allow a person to carry a concealable firearm IN THE OPEN, per Omaha Municipal Code 20-206, subsection B (10).

### **13. What should I do if I want to sell a firearm that is registered with the City of Omaha?**

It would be prudent to do four things to sell your firearm:

A) As the seller, you should make sure your buyer has a valid purchase permit through the Douglas County Sheriff's Office (DCSO) or other county. A valid permit is good for three years, so be sure to look at the expiration date. This is the same permit that a buyer would be required to show an employee at retail store if purchasing a gun.

The valid purchase permit is important because before issuing the permit, the DCSO does a background check to ensure the prospective buyer is not prohibited from being able to buy a firearm.

B) Check the buyer's identification to make sure they are the person on the purchase permit.

C) Create a bill of sale showing the details of your firearm transaction: seller's information, buyer's information, date of sale, firearm details, serial number, price, signatures, etc.

D) If your buyer lives in Omaha city limits, BOTH of you (buyer and seller) should meet at Omaha Police Headquarters, 505 S 15 St, in order to get the firearm registration taken out of your name (seller's name) and put into the buyer's name.

**\*\*If the seller does not take the firearm out of his name, the firearm remains registered to the seller forever.\*\*** After the firearm is taken out of the seller's name, the buyer can then register it in their name. This is the most complete way to do this to ensure everyone is legal and safe in the transaction. If you did not do this and the buyer used the weapon to commit a crime, you might be falsely accused of the crime.

The Omaha Police Headquarters Front Desk is open 365days a year / 24 hours a day. Just call ahead to **402 444 5818** to ensure the right staff is there to handle your transaction.



# Minnesota

## Basic Handgun Safety Course

1-5) Refer to Chapters 1-5 in the Nebraska Concealed Handgun Training section

6) State Laws pertaining to the possession, ownership and transportation of a handgun: (MN State Statute 624.714)

- a) Requirements for getting a permit to carry
  - Must be at least 21 years of age
  - Must complete an application form
  - Must not be prohibited from possessing a firearm
  - Must be a resident of the county from which you are requesting a permit if you reside in Minnesota. Non-residents may apply to any Minnesota county sheriff
  - Must provide certificate of completed authorized firearms training. Training by a certified instructor must be completed within one year prior to applying for a permit to carry
  - Applications must be submitted in person
  
- b) Permit is good for 5 years. You may not renew your permit prior to 90 days of the expiration date of the current permit.
  
- c) Permit is good throughout Minnesota
  
- d) Gross Misdemeanor to carry handgun in a public place without having a permit (second time is a felony)
  
- e) Must have permit and driver's license, state identification card, or other government-issued photo ID in possession at all times when carrying a handgun and must display the permit and ID upon lawful demand by a peace officer
  
- f) Upon request of a peace officer, a permit holder must write a sample signature in the officer's presence to aid in verifying the person's identity

- g) Upon the request of a peace officer, a permit holder shall disclose to the officer whether or not the permit holder is currently carrying a firearm
- h) Within 30 days after changing permanent address, or within 30 days of having lost or destroyed the permit card, the permit holder must notify the issuing sheriff of the change, loss or destruction (failure to do so is a Petty Misd.)
- i) Failure to return the permit to the issuing sheriff within 5 business days after the permit holder knows or should know that the permit holder is a prohibited person is a Gross Misd.
- j) A person who gives any false material information in applying for a permit to carry, knowing or having reason to know the information is false, is guilty of a Gross Misd.
- k) Carrying a handgun while under the influence of alcohol or a controlled substance
- May not carry handgun in a public place when under the influence of controlled substance or alcohol (more than .04) or any chemical compound or combination of chemical compounds that affects the nervous system, brain or muscles so as to impair the person's clearness of intellect or physical control
- l) Persons prohibited from possessing a firearm
- Mn Statute 518B.01, sub 14- Violation of an Order for Protection
  - Mn Statute 609.224, sub 3- Assault in the 1<sup>st</sup> Degree with firearms
  - Mn Statute 609.2242, sub 3- Domestic assaults with firearms
  - Mn Statute 609.749, sub 8- Harassment; Stalking; Firearms
  - Mn Statute 624.713- Certain persons not to have pistols or semi-automatic military-style assault weapons
  - Mn Statute 624.719- Possession of a firearm by non-resident alien
  - MN Statute 629.715, sub 2- Surrender of firearms as condition of release

- MN Statute 629.72, sub2- Judicial review that prohibits person from possessing a firearm
- MN Statute 299C.091- Listed in the criminal gang investigation system

Note: Federal laws, not listed herein, may also prohibit possession of a firearm for certain persons.

Note: The sheriff can also deny the application if there is a substantial likelihood that the applicant is a danger to self or others is issued a permit to carry.

m) Locations where you are prohibited from carrying a pistol

- School property
- Child care center when children are present
- School bus when children are present
- State correctional facilities or state hospitals and grounds (MN Statute 234.55)
- Any jail, lockup or correctional facility (MN Statute 641.165)
- Courthouse complexes, unless the sheriff is notified (MN Statute 609.66)
- Offices and courtrooms of the Minnesota Supreme Court and Court of Appeals
- Any State building unless the commissioner of public safety is notified (MN Statute 609.66)
- In a field while hunting big game by archery, except when hunting bear (MN Statute 97B.211)
- In federal court facilities or other federal facilities (Title 18 U.S.C. 930)
- Private establishments or places of employment if posted or employer restricts the carry or possession of firearms

NOTE: If you are asked to leave the private establishment, you must, or you could be charged with a crime.

n) A permit to carry is not required of a person:

- To keep or carry about the person's place of business, dwelling house, premises or on land possessed by the person
  - To carry a pistol from a place of purchase to the person's dwelling house or place of business, or from the person's dwelling house or place of business to or from a place where repairing is done, to have the pistol repaired
  - To carry a pistol between the person's dwelling house and place of business
  - To carry a pistol in the woods or fields or upon the waters of this state for the purpose of hunting or of target shooting in a safe area
  - To transport a pistol in a motor vehicle, snowmobile or boat if the pistol is unloaded, contained in a closed and fastened case, gun box or securely tied package
- o) A landlord may not restrict the lawful carry or possession of firearms by tenants or their guests and the owner or operator of a private establishment may not prohibit the lawful carry or possession of firearms in a parking facility or parking area.
- p) Report of Transfer (MN Statute 624.7132)
- Every person who agrees to transfer a pistol or semiautomatic military-style assault weapon shall file a transfer report with the chief of police of the organized fulltime police department of the municipality where the proposed transferee resides or to the appropriate county sheriff if there is no such local chief of police
  - If the proposed transferee presents a valid transferee permit issued under section 624.7131 or a valid permit to carry issued under section 624.714, the transferor need not file a transfer report
  - A person who makes a false statement in order to obtain a transferee permit knowing or having reason to know the statement is false is guilty of a Gross Misdemeanor

## **8) Use of Deadly Force**

### **609.02 Definitions.**

**Subd. 7. BODILY HARM.** “Bodily harm” means physical pain or injury, illness, or any impairment of physical condition.

**Subd. 7a. SUBSTANTIAL BODILY HARM.** “Substantial bodily harm” means bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss of impairment of the function of any bodily member or organ, or which causes a fracture of any bodily member.

**Subd. 8. GREAT BODILY HARM.** “Great bodily harm” means bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

**609.065 JUSTIFIABLE TAKING OF LIFE.** The intentional taking of the life of another is not authorized by section 609.06, except when necessary in resisting or preventing an offense which the actor reasonably believes exposes the actor or another to great bodily harm or death, or preventing the commission of a felony in the actor’s place of abode.

Justifiable Taking of Life: (MN Statute 609.065)

- The kind and degree of force which a person may lawfully use in self-defense is limited by what a reasonable person in the same situation would believe to be necessary. Any use of force beyond that is regarded by the law as excessive.
- The actor has a duty to retreat or to avoid danger if reasonably possible, except when defending against an intruder who commits a felony in one's home.



# **GLOSSARY OF FIREARM-RELATED TERMS**

**Where applicable, Legal Terms are defined in  
reference to Nebraska's statutes.**

**ACCIDENTAL DISCHARGE** – An unexpected and undesirable discharge of a firearm caused by circumstances beyond the control of the participant(s) such as a mechanical failure or parts breakage. There are very, very few firearms related “accidents” and if the safety rules are followed there will hopefully be no injury. Compare with Negligent Discharge.

**ACP** – An abbreviation meaning: Automatic Colt Pistol. It is commonly used to designate specific calibers, particularly those which were originally designed by John Moses Browning for the Colt Firearms Company. Automatic Colt Pistol, a type of ammunition. For example: as in .45 ACP, .380 ACP, and .25 ACP

**ACTION** – The working mechanism of a firearm involved with presenting the cartridge for firing, and in removing the spent casing and introducing a fresh cartridge.

See also: single action, double action.

**ACTOR** - Any person who uses force in such a manner as to attempt to invoke the privileges and immunities afforded him by sections 28-1406 to 28-1416, except any duly authorized law enforcement officer of the State of Nebraska or its political subdivisions

**ADJUSTABLE STOCK** – The stock is the wooden, polymer, or metal handle of a long gun that extends from the trigger back to where the gun is braced against the shoulder. An adjustable stock is one that can be easily lengthened or shortened to fit shooters of different sizes.

**ADJUSTABLE TRIGGER** – A trigger that can be easily adjusted by the user. Adjustable triggers are common on specialized target-shooting firearms, but rare on self-defense firearms.

**AFFIRMATIVE DEFENSE** - This is a defense in which the defendant introduces evidence, which, if found to be credible, will negate criminal liability or civil liability, even if it is proven that the defendant committed the alleged acts.

Self-defense, entrapment, insanity, necessity, and *respondeat superior* are some examples of affirmative defenses.

**AIWB** – Appendix In Waistband. The appendix carry method involves wearing your holster in the front portion of your waistband.

**AIRGUN** – Not a firearm but a gun that uses compressed air or CO2 to propel a projectile. Examples: BB gun, pellet gun, CO2 gun.

**AMBIDEXTEROUS SAFETY** – A manual, external safety which can be easily reached with either hand. Usually one lever on each side of the firearm.

**AMMO** – Short for Ammunition

**AMMUNITION** – The “packaged” components that are needed in order to fire in a case or shell holding a primer, (which produces the spark) a charge of propellant (gunpowder) and a projectile (bullets, slug or pellets.) Sometimes called “fixed ammunition” to differentiate from the individual components placed separately in muzzleloaders. A single unit

of ammunition in modern firearms is called a cartridge. The units of measure for quantity of ammunition is rounds. There are hundreds of sizes of ammunition, examples include .223 Remington, 9mm Luger, 30.06, .308 Winchester, .300 Winchester Magnum, and .50 Browning Machine Gun (BMG). The ammunition used must match the firearm.

**ANTIQUÉ FIREARM** – By federal definition, a firearm, including those with a matchlock, flintlock, percussion cap, or similar type of ignition system manufactured prior to 1899 or uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade;

**APERTURE SIGHT** – An iron sight system of aligned markers used to assist in the aiming of a device such as a firearm, crossbow, or telescope that excludes the use of optics as in a scope. Also known as Peep Sights.

**AR-15** – is a widely owned semi-automatic rifle. The AR does not stand for “Assault Rifle” as many believe, it was named after the manufacturer that first built it, Armalite.

**ARMOR-PIERCING AMMUNITION** – A type of ammunition designed to penetrate armor or armor-plated targets such as tanks, trucks, and other vehicles. An armor-piercing shell must withstand the shock of punching through armor plating. Shells designed for this purpose have a greatly strengthened case with a specialty hardened and shaped nose, and a much smaller bursting charge.

**ARSENAL** – A government establishment where firearms and ammunition are stored, repaired, or manufactured. The term is misused by the media to mean more than one firearm or any quantity of ammunition, as in “they found an arsenal.”

**ARTILLERY** – Large bore diameter (nominally 3” or greater) firearms designed to be operated by a crew of individuals. They are utilized to project explosive, armor defeating, incendiary, or nuclear projectiles over great distances. They are normally moved by vehicle because of their size and weight. “Cannon,” mortars, howitzers, and similar are considered artillery.

**ASSAULT RIFLE** – A military firearm which fires a reduced-power rifle round, and can shoot in both fully-automatic and semi-automatic modes.

**ASSAULT WEAPON** – A political term with no fixed definition, being defined differently by different jurisdictions. Because the actual definition is so fluid, laws written to regulate assault weapons often define the term by various cosmetic characteristics which do not affect a firearm’s power or function in any fundamental way. Despite public perception, assault weapons are not machine guns. They are semi-automatic firearms, not fully automatic firearms.

The term is distinct from the term assault rifle, which is a technical term with a specific meaning widely accepted both in law and within the military and firearms communities.

**ASSENT** - Consent, whether or not it otherwise is legally effective, except assent to the infliction of death or serious bodily harm

**AUTOLOADER** – A firearm that automatically loads the next cartridge to be fired into the chamber either upon the pull of the trigger in an open bolt design or upon the firing of the previous round in a close bolt design. Over time this term has been shortened to just “auto” and sometimes “automatic” thus creating confusion between a full-auto firearm and a semi-automatic firearm.

**AUTOMATIC** – A firearm designed to feed cartridges, fire them, eject their empty cases and repeat this cycle as long as the trigger is depressed and cartridges remain in the feed system. Examples: machine guns, submachine guns, selective-fire rifles, including true assault rifles. A fully automatic firearm is capable of sequentially firing two or more cartridges with a single pull of the trigger. A fully automatic firearm is also called a machine gun.

Automatic can also refer to a semi-automatic firearm.

**BALL** – Originally a spherical projectile, now generally a fully jacketed bullet of cylindrical profile capped with a round nose.

**BALLISTICS** – The science of cartridge discharge and the bullet’s flight. Internal ballistics deals with what happens inside of a firearm upon discharge. External ballistics is the study of a projectile’s flight, and terminal ballistics is the study of the impact of a projectile.

**BALLISTIC FINGERPRINT** – A fired case has marks upon it that it picked up from the extractor, ejector, and breechface of the gun when the shot went off. A bullet fired through a rifled barrel also has rifling marks unique to the barrel that launched it. A record of these marks, when stored in a central database, is called a ballistic fingerprint. Some states require this record to be made by law, so that individual guns can be located from bullets or casings found at the scene of a crime.

**BARREL** – The metal tube through which the bullet or shot travels. The barrel serves the purpose of providing direction and velocity to the bullet.

**BATTERY** – Most firearms do not have literal batteries. But a firearm is said to be in battery when the breech is fully closed and locked, ready to fire. When the breech is open or unlocked, the gun is out of battery and no attempt should be made to fire it. A semi-automatic is out of battery when the slide fails to come all the way forward again after the gun has fired, making it dangerous or impossible to fire the next round. This condition can be created by a misfeed, a dirty gun, weak springs, the shooter’s thumbs brushing against the slide, riding the slide, or any of several other causes.

**BACKSTOP** – Anything that will safely stop a bullet and prevent it from hitting anything else after the target is struck.

**BACKSTRAP** – A handgun term. The rearmost surface of the grip. The rear of two gripstraps on a handgun, which lies beneath the heel of the hand when gripping the gun.

**BAYONET LUG** – A mounting point on a small arm that allows a bayonet or other accessory to be attached.

**BEAVERTAIL** – A large piece of curved metal at the top of the grip which protects the user's hand from getting bitten by the hammer. It is nearly always the top part of the grip safety commonly found on many 1911-style pistols,

**BENCHREST (Shooting)** – A shooting sport in which the competitors seek to place five or ten consecutive shots into the smallest possible group on a paper target at various ranges. All firing is done from an artificially supported shooting position. It is a severe test of the mechanical precision of both the small arm and its ammunition.

**BERM** – On an outdoor shooting range, a large pile of dirt that functions as a backstop.

**BIATHLON** – A shooting sport that combines both skiing and rifle shooting. It is the only shooting activity in the Winter Olympics. There is also a summer biathlon which involves running and shooting but it is not yet an Olympic event.

**BIPOD** – A two legged support for the front end of a rifle to stabilize the gun while shooting.

**BIRDSHOT** – A type of shotgun ammunition which uses very small pellets with individual projectiles of less than .24" in diameter designed to be discharged in quantity from the shotgun. The size of the shot is given as a number or letter—with the larger number the smaller the shot size. It is so named because it is most often used for hunting birds. The finest size generally used is #9 which is approximately .08" in diameter and the largest common size is #2 which is approximately .15"

**BLACKPOWDER** – The earliest type of firearms propellant that has generally been replaced by smokeless powder except for use in muzzleloaders and older breechloading guns that demand its lower pressure levels.

**BLOWBACK** – A semi-automatic firearm whose breechblock and barrel are not mechanically locked together when fired. In such case the breechblock immediately begins to separate from the barrel upon firing. Blowback is used in comparatively low powered firearms, in which inertia of the breechblock, and cartridge wall adhesion against the chamber, are sufficient enough to retard opening until breech gas pressures have fallen to a safe level.

**BLANK CARTRIDGE** – A round loaded with blackpowder or a special smokeless powder but lacking a projectile. Used mainly in starting races, theatrical productions, troop exercises and in training dogs.

**BLUING** – The chemical process of artificial oxidation (rusting) applied to gun parts so that the metal attains a dark blue or nearly black appearance.

**BOAT TAIL** – A type of projectile that has a tapered base (rear end) that reduces the drag from the air as it travels to its target.

**BOLT** – The mechanism of some firearms that holds the cartridge in place during the firing process. It must be moved out of the way to load and unload the gun; this action may be manually performed by the shooter pulling back on an exterior knob called the bolt handle and then sending it forward again, or the action may be performed by other moving parts within the firearm. When the user must move the bolt manually, the firearm is called a bolt-action firearm.

**BOLT ACTION** – A type of firearm, almost always a rifle, in which an empty shell casing is removed from the firing chamber by the turning and retraction of a metal cylinder shaped mechanism called a bolt. A new, unfired, cartridge is inserted and secured into the chamber by reversing the action of the bolt.

**BORE** – The hollow portion of a barrel through which the bullet travels during its acceleration phase.

- A smooth-bore firearm is one that does not have rifling on the barrel's internal surface.
- A big-bore firearm is one that fires a large caliber.
- A small-bore firearm is one that fires a small caliber.

**BORE DIAMETER** – The diameter of the inside of the barrel after boring, but before rifling.

**BORE AXIS** – An imaginary line which runs right down the center of the handgun's barrel and out through the back end of the gun. A handgun may have a high bore axis, with the imaginary line running out into space well above the shooter's hand. Or it may have a low bore axis, with the imaginary line running either straight through the shooter's hand or just skimming the surface slightly above her hand. A high bore axis tends to create greater perceived recoil and more muzzle flip when firing the gun than does a low bore axis.

**BOTTLENECKED** – A type of cartridge whose bullet diameter is substantially less than the body diameter of the casing.

**BRASS** – A slang term for an empty shell casing. Most shell casings are made of the metal alloy known as brass.

**BREAK** – (Trigger Break) The point at which the trigger allows the hammer to fall, or releases the striker, so that the shot fires. The ideal trigger break is sudden and definite. "Like a glass rod" is the cliché term shooters use to describe the ideal crisp, clean break.

**BREECH** – That portion of the gun that contains the rear chamber portion of the barrel. The rearmost end of a barrel, closest to the shooter.

**BEECH LOADING GUN** – a firearm in which the cartridge or shell is inserted or loaded into a chamber to the rear portion of a barrel.

**BREECH BLOCK** – The part of the firearm that seals the rear of the chamber (the breech) while the gun is firing, preventing the rearward escape of gases.

**BREECH FACE** – That portion of the breech block which touches the cartridge when the breech is closed.

**BREECH OPENING** – The open rear of the barrel through which cartridges are inserted into the chamber.

**BRICK** – A box of ammunition roughly equal in size and weight to a brick. Most often used to describe a 500-round container of 22 Long Rifle ammunition.

**BUCKSHOT** – A type of shotgun ammunition that uses medium-sized to large-sized pellets of .24" in diameter or greater, designed to be discharged in quantity from a shotgun. Generally the larger the pellets, the fewer of them there are in casing.

**BUG**- Slang for Back Up Gun. Typically a small frame gun intended to be carried as a second firearm in event the primary fails.

**BULLET** – The single metal projectile expelled from a gun. It is not the same as a cartridge, the cartridge is complete package, which includes the case, primer, powder, and bullet, which is called or a round. Bullets can be of many materials, shapes, weights and constructions such as solid lead, lead with a jacket of harder metal, round-nosed, flat-nosed, hollow-pointed, etc.

**BULLET PROOF VEST** – A popular but incorrect term for bullet resistant clothing.

**BULLET TRAP** – A type of backstop that catches the fired bullet and prevents it from exiting the area. Bullet traps are most commonly used on indoor ranges.

**BULLPUP** – A rifle configuration in which the action and magazine are located behind the trigger. This makes the overall length of the firearm shorter than it otherwise would be.

**BUTT** – The base of the grip on a handgun and the rearmost portion of the stock on a long gun that braces against the shoulder.

**BULL BARREL** – “Bull barrels” are barrels that are not tapered at all. These very heavy barrels, designed for extreme accuracy, are usually seen on target rifles.

**CABLE LOCK** – A cable with a padlock at the end. It is threaded through the action of the firearm.

**CALIBER** – The diameter of the bore of a firearm measured as a fraction of an inch. Although such a measurement may be frequently stated in millimeters. It is correctly expressed as “.40 caliber” (note the decimal point) or as “10 millimeter” (without “caliber” or the leading decimal point). Caliber numbers when used to identify the size of the bullet a gun will fire are usually followed by words or letters to create the complete name of the cartridge. These letters often represent a brand name or an abbreviation for the name of the company that first introduced the round.

**CAN** – Slang term for a firearm sound suppressor.

**CANNELURE** – A groove or indentation around the circumference of a bullet. Its purpose is to permit the cartridge casing to be crimped tightly against the bullet shank to hold it firmly to the casing. A groove or indentation around the circumference of a bullet. Its purpose is to permit the cartridge casing to be crimped tightly against the bullet shank to hold it firmly to the casing.

**CANT** – Tilting the firearm slightly to one side, so the grip is no longer vertical in relation to the ground. Canting the firearm can make precision shooting more difficult, but may be necessary in some circumstances.

**CARBINE** – A rifle with a relatively short barrel. Any rifle or carbine with a barrel less than 16" long must be registered with the Bureau of Alcohol, Tobacco and Firearms. Shotguns with barrels less than 18" long fall into the same category. Commonly used today to indicate any rifle of short overall length.

**CARTRIDGE** – A single, complete round of ammunition which includes the case, primer, powder, and bullet

**CASE, CASING** – The envelope (container) of a cartridge. For rifles and handguns it is usually of brass or other metal; for shotguns it is usually of paper or plastic with a metal head and is more often called a "shell."

**CCW- Concealed Carry Weapon.** This term is used in some states where a permit would allow carrying of multiple types of weapons concealed which could include knives or other devices.

**CENTER-FIRE** – A cartridge with its primer located in the center of the base of the case.

**CENTER OF MASS (COM)** For self-defensive shooters, COM represents the area of an attackers torso within which the most vital organs are likely to be disrupted by a gunshot. Shooting to COM is considered the most expedient way to stop an assailant from continuing threatening behavior.

**CHAMBER** – The rear part of the barrel that is formed to accept the cartridge to be fired. A revolver employs a multi-chambered rotating cylinder separated from the stationary barrel.

**CHAMBER THROAT** – This is the area in the barrel that is directly forward of the chamber, which tapers to the bore diameter.

**CHARGER-** A device typically made from stamped metal which holds a group of cartridges for easy and virtually simultaneous loading into the fixed magazine of a firearm.

**CHOKE** – A constriction at or near the muzzle of a shotgun barrel that affects shot dispersion.

**CHP- Concealed Handgun Permit**

**CLAY PIGEON** – Originally, live pigeons were used as targets, but they were gradually replaced with clay disks and ultimately banned. Later clay has been replaced with more suitable raw materials.

**CLEARING** – Unloading a gun and double checking that it is unloaded or fixing a malfunction so that the gun is ready to fire again.

**CLICKS** – A unit of adjustment for a sight.

**CLIP** – The controversial name commonly used to describe a magazine which is an ammunition storage and feeding device. Magazines may be integral to the firearm (fixed) or removable (detachable). The magazine functions by moving the cartridges stored in the magazine into a position where they may be loaded into the chamber by the action of the firearm.

**CLOSED BOLT FIRING (SYSTEM)** – A type of firearm in which the action is closed, with a cartridge in the chamber prior to firing. When the trigger is pressed the cartridge is fired, and the action cycles loading another cartridge into chamber and when firing is stopped the bolt remains closed and the chamber remains loaded.

**COCK** – The term referring to the action of manually drawing the hammer back against its spring until it becomes latched against the sear, or sometimes the trigger itself, arming the hammer to be released by a subsequent pull of the trigger. Some external hammers, and all internal hammers, may be cocked simply by pulling the trigger.

**COCKED** – A state of readiness of a firearm. The hammer (or similar mechanism if there is no hammer) only needs to be released by the trigger to cause the gun to fire.

**COLD CLEAN BORE** – The first shot from a rifle that has been cleaned, and not fired recently may go to a different point of impact, for the same point of aim than a rifle that has been fired recently. This first shot is referred to as a shot from a cold, clean, bore. See also fouling shot.

**COLD RANGE** – Pistol must be unloaded until it is your turn to shoot.

**COLLAPSIBLE STOCK** – A stock on a long gun that can be shoved into itself to shorten it, either for storage or to make the gun fit shooters of different sizes.

**COMPENSATOR** – Also call a Muzzle Brake. A device attached to or made as part of a firearms barrel designed to reduce recoil or muzzle movement on firing. They generally increase muzzle blast. They may also, but not necessarily so, diminish muzzle flash.

**CONCEALED HANDGUN** – the handgun is totally hidden from view. If any part of the handgun is capable of being seen, it is not a concealed handgun.

**CONTROLLED PAIR** – Two shots fired in rapid succession. It is different from a double tap because in a controlled pair, the second shot will be fired after the shooter has obtained a second sight picture, whereas in a double tap both shots are fired based upon the initial sight picture alone.

**COVER** – Anything an intended victim hides behind that will probably stop a bullet.

**COVER GARMENT** – Any piece of clothing that covers the holstered gun. When the gun is worn on the belt, the most common types of cover garments are vests, sweaters, and jackets.

**CO-WITNESS SIGHTING** – is the use of any iron sight mounted onto a rifle that is fitted with an optical sight as a primary sighting system. They come in two basic configurations, fixed or flip-up. The idea is that if you align your red dot and your iron sights you have a backup aiming system on the gun

**CRIMINAL HISTORY RECORD CHECK** includes a check of the criminal history records of the State Patrol and a check of the Federal Bureau of Investigation's National Instant Criminal Background Check System

**CROSS-DOMINANT**- This means a shooter who is right-handed but left-eyed, or left-handed and right-eyed.

**CROSSHAIRS** – The cross-shaped object seen in the center of a firearm scope. Its more-proper name is reticle.

**CROWN** – The area inside the bore nearest the muzzle. Damage to the crown can severely and adversely affect the firearm's accuracy.

**CYLINDER** – A rotating cartridge holder in a revolver. The cartridges are held in the chambers and the cylinder turns, either to the left or to the right depending on the gun maker's design, as the hammer is cocked.

**CYLINDER DRUM** – On a revolver, a spring activated device housed in the bottom of the frame beneath the cylinder that engages alignment notches in the cylinder. It stops the cylinder's rotation and holds it in place each time a chamber in the cylinder is in alignment with the barrel.

**DEADLY FORCE** - Force which the actor uses with the purpose of causing or which he knows to create a substantial risk of causing death or serious bodily harm. Purposely firing a firearm in the direction of another person or at a vehicle in which another person is believed to be constitutes deadly force. A threat to cause death or serious bodily harm, by the production of a weapon or otherwise, so long as the actor's purpose is limited to creating an apprehension that he will use deadly force if necessary, shall not constitute deadly force

**DECOCKER** – On double-action semi-automatic firearms, a lever that mechanically lowers the hammer without firing the gun.

**DELAYED BLOWBACK** – A self-loading firearm whose breechblock and barrel are not positively locked together, but which incorporates a mechanism which initially restricts the breechblock from moving when fired, delaying its opening.

**DERINGER** – A small single-shot or multi-barreled (rarely more than two) pocket pistol. The design was first produced by Henry Deringer, under the brand name Deringer. When used to refer to any other brand of the same design, derringer is spelled with two r's and is not capitalized.

**DETONATE** – To explode with great violence. It is generally associated with high explosives e.g. TNT, dynamite, etc., and not with the relatively slow-burning smokeless gunpowders that are classed as propellants.

**DINGUS**-Typically slang term for Glock trigger safety. Originally used by Lt. Col. Jeff Cooper to describe Berretta safety/decocker.

**DOUBLE ACTION (DA)**- A type of firearm that may be discharged either by manually cocking the firearm and then pulling the trigger or by using trigger action to both cock and fire the firearm. Originally used only for revolvers but now common in semi-autos as well. Now it commonly means a revolver or pistol on which a long trigger pull can both cock and release the hammer to fire the firearm. In a revolver this action also rotates the cylinder to the next chambered round.

**DOUBLE ACTION / SINGLE ACTION (DA/SA)** – A type of firearm that is designed to operate in double action on the first shot, and in single action on the second and subsequent shots.

**DOUBLE-ACTION ONLY (DAO)** – Is a type of firearm in which the firing mechanism cannot be cocked in a single-action stage. Firing always occurs as a double-action sequence where pulling the trigger both cocks and then fires the gun.

**DOUBLE BARREL** – A shotgun with two barrels either side by side or one over the other.

**DOUBLE FEED** – A malfunction in which the spent case fails to eject from a semi-automatic firearm and blocks the chamber. As the fresh round is brought forward it cannot enter the chamber. It is cleared by stripping the magazine from the gun, racking the slide several times to eject the spent case, and then reloading.

**DOUBLE TAP** – Two shots fired in rapid succession. Generally without getting a new sight picture on the target. If the second shot is fired after a second sight picture is captured it may instead be called a controlled pair.

**DOWN RANGE** – The area of a gun range where firearms are pointed when they are fired. The area of the range forward of the firing line.

**DRAMS** – A black powder weight measure or smokeless powder in the case of shotgun ammunition,

**DROP SAFETY** – A mechanical safety that prevents the gun from firing when it is unintentionally dropped. Some state governments require drop-testing of all handgun designs sold within the state.

**DRY FIRING** – The operation of a firearm without the use of ammunition, as a means of gaining familiarity and technique. Dry firing must be done very carefully with a verified unloaded gun.

**DUD** – A round of ammunition that does not fire.

**DUMMY ROUND** – An inert ammunition-shaped object, used in practice to simulate misfeeds and other malfunctions and also used in dry fire practice.

**DWELLING** - Any building or structure, though movable or temporary, or a portion thereof, which is for the time being the actor's home or place of lodging

**EAR PLUGS** – hearing protection that fits inside the ear canal.

**EARMUFFS** – hearing protection that completely covers both ears and is usually attached to a headband

**EARS** – Slang for hearing protection, muffs or plugs. The use of specially designed ear muffs or plugs that reduce the intensity of the sound reaching the ears is of course recommended. Some of the guns are so loud that a single shot can cause permanent damage to unprotected ears.

**EJECTOR** – A spring-activated mechanism for the ejection of ammunition or/and empty shell casing. On doubles, each barrel has a separate ejector.

**EJECTOR STAR** – On a revolver, the collective ejector, manually operated through the center of an opened cylinder, when activated, clears all chambers at once.

**EJECTION PORT** – The opening through which the empty, spent ammunition case is ejected from of a firearm.

**EJECTION ROD** – The sliding metal dowel located at the muzzle end of a revolver cylinder. After firing, the shooter opens the cylinder and depresses the front end of the ejection rod, which forces the empty cases out of the cylinder.

**ELECTRONIC HEARING PROTECTION** – Ear muff hearing protection that has internal electronics that amplify human voices while excluding all noises louder than a given decibel rating.

**ELEVATION** – The setting on the sights of a firearm that controls the vertical placement and the altitude above mean sea level. This is important for long range precision shooting because the air density changes with elevation and affects the path of the bullet.

**EMERGENCY SERVICES PERSONNEL** - a volunteer or paid firefighter or rescue squad member or a person licensed to provide emergency medical services pursuant to the Emergency Medical Services Practice Act

**EXPLOSIVE** – Any substance (TNT, etc.) that, through chemical reaction, detonates or violently changes to gas with accompanying heat and pressure.

**EXTRACTOR** – A device that withdraws or elevates a fired shell casing from the chamber as the breech mechanism (slide) is opened.

**EXTERNAL SAFETY** – A safety lever found on the outer surfaces of the firearm and accessible to the user.

**EYES** – Slang for safety glasses or other protection for the eyes. All shooters and spotters are required to wear eye protection while shooting is in progress.

**FACTORY AMMO** – Ammunition that has been assembled by a commercial vendor of ammunition and sold in retail stores. This is as opposed to Hand loads which have been assembled by individuals and are not typically sold.

**FAILURE TO EJECT**- A semi-automatic firearm malfunction in which the empty case is extracted from the chamber, but is not properly discharged out of the ejection port. This typically results in a “stovepipe” condition.

**FAILURE TO EXTRACT** – A semi-automatic firearm malfunction in which the extractor fails to move the empty case out of the chamber as the slide travels back. A failure to extract often causes double-feed malfunction.

**FAILURE TO FEED** – A semi-automatic firearm malfunction in which the slide passes entirely over the fresh round, failing to pick it up to insert into the chamber as the slide returns to battery.

**FAILURE TO FIRE** – Any malfunction that results in no shot fired when the trigger is pulled. Commonly caused by a failure to feed, bad ammunition or a broken firing pin.

**FIREPOWER** – A volume of fire delivered by a military unit. Incorrectly used by the media to mean the ability of a small arm to be discharged many times without reloading.

**FIREARM** – Any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosive or frame or receiver of any such weapon. Air guns are not, by definition, firearms.

**FIREARM-RELATED DISABILITY** - a person is not permitted to (a) purchase, possess, ship, transport, or receive a firearm under either state or federal law, (b) obtain a certificate to purchase, lease, rent, or receive transfer of a handgun under section 69-2404, or (c) obtain a permit to carry a concealed handgun under the Concealed Handgun Permit Act; and

**FIRING LINE** – A line, either imaginary or marked, from which people shoot their firearms down range.

**FIRING PIN** – A needle like metal part of a modern firearm that gives a vigorous strike to the primer initiating the firing of the cartridge.

**FIRING PIN BLOCK** – A type of internal safety that prevents the firing pin from moving forward for any reason unless the trigger is pulled.

**FIXED AMMUNITION** – A complete cartridge of several obsolete types and of today’s rimfire and center-fire versions.

**FLASH HIDER/FLASH SUPPRESSOR** – A muzzle attachment intended to reduce visible muzzle flash caused by the burning propellant. Flash reducers lessen glare as seen by the shooter, but do not hide the flash from other observers to the front or side of the firearm.

**FLAT POINT OR FLAT NOSE** – A bullet shape with a flat nose rather than a rounded one.

**FLINCH** – Jerking the gun downwards just before the shot fires. Commonly caused by learning to shoot with a gun more powerful than they are ready for.

**FOLDING STOCK** – A long gun stock that may be doubled over for conveniently compact storage.

**FOLLOW THROUGH** – Holding the trigger to the rear after the shot has fired, until the sights are back on target, at which time the trigger is released.

**FOREND** or **FORESTOCK** – That part of the stock forward of the action and located below the barrel or barrels. It is designed to give the shooter a place to hold the front end of the gun and protects the shooter's hand from getting burned on the hot barrel.

**FOULING** – The gritty residue that cleaned out of the barrel and all areas of the firearm in order to clean it.

**FOULING SHOT** – A shot fired in a clean rifle barrel to put the barrel into the normal slightly dirty state from which it is fired. Often, a rifle will shoot to a different point of aim with this shot as compared to the subsequent shots.

**FOUR RULES** – The four rules of firearms safety, which apply every single time a firearm is handled in any way or for any reason. See also the **THREE RULES** which applies the assumption that every gun is loaded to all of the other rules by using the word **ALWAYS** and assumes that if your muzzle is pointed at a target it is also pointed and what lies beyond the target.

- Rule One: All guns are always loaded. (Treat them so!)
- Rule Two: Never point your firearm at anything you are not willing to destroy.
- Rule Three: Never put your finger on the trigger unless your sights are on target (and you have made the decision to fire).
- Rule Four: Be sure of your target and what is behind it.

**FRAME** – The common part of a handgun to which the action, barrel and grip are connected.

**FRONT SIGHT** – The front sight is placed at the muzzle end of the barrel. It is often (but not always) in the form of a dot or a blade. To attain a proper sight picture and shoot with the greatest degree of accuracy, the shooter's eye should be focused sharply upon the front sight while shooting, allowing both the rear sight and the target to blur somewhat.

**FRONT STRAP** – The part of a revolver or pistol grip frame that faces forward and often joins with the trigger guard.

**FUGITIVE FROM JUSTICE** - any person who has fled or is fleeing from any peace officer to avoid prosecution or incarceration for a felony

**FULL METAL JACKET FMJ** – A type of round in which the lead core bullet is encased in a harder metal jacket on the front and sides.

**GAP**- Glock Auto Pistol, a type of ammunition.

**GAS** – The superheated air and other stuff produced by burning powder. Gas pressure is what sends the bullet downrange.

**GAS OPERATED** – The superheated air created by burning powder. A gas-operated firearm is one that uses the energy from these superheated gases to work the action.

**GAUGE** – The bore size of a shotgun determined by the number of round lead balls of bore diameter that equals a pound. It is used like “Caliber” for the shotgun.

**GHOST-RING SIGHT** – A type of aperture rear sight with a large opening and a thin rim that seems to fade out when the shooter looks through it. Sometimes installed on rifles and shotguns intended for home defense or police use.

**GRAINS** – A unit of weight measurement used for bullets and gunpowder. The more grains, the heavier the bullet. Powder is also measured by grains, but this is generally of interest only to re-loaders. There are 7000 grains to a pound.

**GREEN AMMUNITION** – Ammunition that contains no lead in any component.

**GRIPS** – The handle used to hold a handgun. Often refers to the side-panels of the handle or the method by which the shooter holds the handgun.

**GRIP PANELS** – The interchangeable surfaces that are installed on the part of the gun that you hold. Users change grip panels to improve the look or feel of the firearm, or to personalize it so that the gun is more suited to a different hand size. Some grip panels are chosen for function, while others are chosen for looks. Common grip-panel materials are wood, plastic, and rubber.

**GRIP SAFETY** – A passive, external safety typically located on the backstrap, which must be fully depressed to release the trigger. Most 1911-pattern pistols feature a grip safety.

**GRIPSTRAPS** – The exposed portion of a handgun’s frame, the front strap and backstrap, that provides the foundation for the handgun’s grip.

**GROOVES** – Spiral cuts into the bore of a barrel that give the bullet its spin or rotation as it moves down the barrel. Technically is is the portion of the bore in a rifled barrel that has been machined away.

**GROUP** – A gathering of holes in the target. The group size is measured by finding the bullet holes that are the furthest apart from each other and measuring from the center of one hole to the center of the other hole. The closer the holes, the better. Obviously the number of shots fired affect the group size. Typical numbers are three, five and ten. From a statistics viewpoint a three shot group is virtually meaningless as a measurement of firearm accuracy. Five shot groups are acceptable. Some advocate a seven shot group as a good tradeoff between economy and statistical relevance.

**GUNPOWDER** – Chemical substances of various compositions, particle sizes, shapes and colors that, on ignition, serve as a propellant. Ignited smokeless powder emits minimal quantities of smoke from a gun’s muzzle; the older black-powder emits relatively large quantities of whitish smoke.

**HAIR TRIGGER** – A trigger that breaks from an extremely light touch.

**HAMMER** – On guns so equipped, the hammer is the part that rotates to provide the percussive impact on the primer. The firing pin may be struck by the hammer, or the firing pin may be a part of the hammer. Not all guns have hammers. Many guns are equipped with strikers: notably Glock pistols and the vast majority of bolt action rifles. Hammers may be exposed or shrouded, spurred or bobbed.

**HAMMER SPUR** – The thumb-piece on the top rear of the hammer that enables it to be manually drawn back to full cock.

**HAMMERLESS** – A revolver or pistol design that actually have hammers but are fully encased inside the frames, hammer designs where the spurs have been removed for concealment, or striker-fired pistols that are truly hammerless.

**HANDGUN** – Synonym for pistol. Any firearm with a barrel less than sixteen inches in length or any firearm designed to be held and fired by the use of a single hand;

**HANDLOADS** – Cartridges assembled by an individual person from the individual components (primer, shell casing, gunpowder, and bullet) and are typically tailored specifically for their firearm.

**HARDBALL** – Slang for a full metal jacket bullet with a round nose.

The term is most commonly used in referring to .45 ACP caliber ammunition, but may be used for other calibers as well.

**HEEL (OF A STOCK)** -The top of the butt, when the gun is in position on the shoulder to be fired, is called the heel.

**HEAVY TRIGGER** – A trigger that requires a lot of pressure to pull it past the break point. Rifles tend to have considerably lighter triggers than handguns, and even a heavy rifle trigger is often lighter than a light handgun trigger.

**HIGH-CAPACITY MAGAZINE** – An inexact, non-technical term indicating a magazine holding more rounds than might be considered “average.”

**HIGH KNEELING** – A shooting position in which one or both knees are touching the ground, but the shooter is otherwise erect.

**HMR** – Hornady Magnum Rimfire, a type of ammunition.

**HOLLOW-POINT BULLET** – A bullet with a concavity in its nose to increase expansion on penetration of a solid target. Some hollow-points are also designed to fragment as they expand. They are least likely to over-penetrate the target and harm an innocent bystander. Commonly used for self-defense

**HOLSTER** – A gun holder that may be strapped to a human body, or affixed to the inside of a pack or bag, or dropped into a pocket. A holster serves to protect the gun’s mechanisms and finish, to provide security by covering the trigger so it cannot be pulled inadvertently, and to present the grip of the gun at a constant angle for easy access. Some holsters also serve to obscure the outline of the gun so it may be more easily concealed. Typically made from leather or in plastic.

**HOT RANGE** – Pistol can be carried loaded, also a range where the range master has given the order to commence fire

**INTEGRAL LOCK** – A built in lock that may prevent the firearm from being fired

**INTERNAL SAFETY** – A safety which is placed within the gun and is not accessible to the user. Internal safeties are generally designed to prevent unintentional discharges when the gun is dropped or mishandled.

**IRON SIGHTS** – The mechanical sighting system which usually comes with the firearm made of metal with no optics.

**ISOSCELES STANCE** – A shooting stance in which the gun is held thrust straight out from of the body, with both arms straight.

**IWB-** inside the waistband. A method of carrying in a holster that slips inside the waistband and belt and typically allows a shirt to be tucked over the handgun and holster.

**JACKET** – The envelope enclosing the core of a bullet.

**JAM** – A malfunction which locks up the gun so badly that tools are required in order to fix it. Sometimes used to denote a simple malfunction, but many people make a distinction between a complete jam and a simple malfunction.

**JUVENILE** - Any person under the age of eighteen years

**KEYHOLE** – An oddly-shaped hole in the target caused by a bullet which was unstable during its flight and entered the target sideways rather than nose-on. Key-holing sometimes can indicate a safety issue such as using the incorrect caliber for the gun.

**KICK** – Slang for Recoil.

**KNIFE** - Any dagger, dirk, knife, or stiletto with a blade over three and one-half inches in length or any other dangerous instrument capable of inflicting cutting, stabbing, or tearing wounds;

**KNUCKLES** and brass or iron knuckles - Any instrument that consists of finger rings or guards made of a hard substance and that is designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles;

**LANDS** – Raised portions of the bore left between the grooves of the rifling in the bore of a firearm. The portion of the bore in a rifled barrel (see rifling) that protrudes into the bore itself. The top surface of the lands is approximately the same diameter as the bore was prior to rifling.

**LASER** – A laser is an alternative sighting device which enables the shooter to quickly and accurately see where the firearm is aimed even

when lighting or other conditions prevent using the gun's normal sights. Lasers may be located within the grips, hung from accessory rails at the front end of the gun, or placed within the firearm.

**LASER GRIP** – A grip which contains a pressure-activated laser pointer which enables the shooter to quickly and accurately see where the firearm is aimed even when lighting or other conditions prevent using the sights.

**LC** – Long Colt, a type of ammunition.

**LEAD** – To aim at a spot just in front of a moving target, so that the target moves into the line of fire as the trigger is pulled.

**LEAD** – The metal from which bullets are traditionally made. They may also be made of steel, copper, or other materials.

**LENGHT OF PULL** – 1) The distance between the face of the trigger and the rearmost surface of the gun. 2) The distance the trigger must travel before it fires the gun.

**LEVER-ACTION** – A rifle mechanism activated by manual operation of a lever. The user manually brings this lever down and back up again to eject the spent case and bring a new round into the chamber ready to be fired.

**LIGHT DOUBLE ACTION (LDA)** – A double-action semi-automatic firearm which is designed to have a much lighter trigger pull than is usual for a double action.

**LIMP WRISTING** – A floppy, limp wrist while shooting.

**LOADED** – A firearm is loaded when a cartridge is in its firing chamber. However, for safety reasons all firearms are always treated as loaded at all times. See The 4 Rules.

**LOADED CHAMBER INDICATOR** – A mechanical device that protrudes from the gun when a round is in position ready to be fired, giving a visual and tactile indication that the gun is loaded. Loaded chamber indicators are required by law in some states.

**LONG GUN** – A firearm with an extended barrel, designed to be fired while in contact with the shoulder of the shooter and include rifles and shotguns.

**LONG TRIGGER** – A trigger with an exceptional length of pull.

**LOW KNEELING** – A shooting position in which one or both knees are touching the ground and the shooter is as low as possible.

**LONG RECOIL** – A semi-automatic pistol in which the barrel and breechblock are locked together for the full distance of rearward recoil travel, after which the barrel returns forward, while the breechblock is held back. After the barrel has fully returned, the breechblock is released to fly forward, chambering a fresh round in the process.

**LR** – Long Rifle, a type of ammunition.

**MACHINE GUN** – Machine gun means any firearm, whatever its size and usual designation that shoots automatically more than one shot, without manual reloading, by a single function of the trigger

**MACHINE PISTOL** – A fully automatic Small Arm using a cartridge designed and intended for use in pistols. Commonly called a “submachine gun.”

**MAGAZINE** – A container, either fixed to a pistol’s frame or detachable, which holds cartridges under spring pressure to be fed into the gun’s chamber. Detachable magazines for the same gun may be offered by the gun’s manufacturer or other manufacturers with various capacities. A gun with a five-shot detachable magazine, for instance, may be fitted with a magazine holding 10, 20, or 50 or more rounds. Box magazines are most commonly located under the receiver with the cartridges stacked vertically. Tube or tubular magazines run through the stock or under the barrel with the cartridges lying horizontally. Drum magazines hold their cartridges in a circular mode. A magazine can also mean a secure storage place for ammunition or explosives.

**MAGAZINE DISCONNECT** – Sometimes called a magazine safety. A mechanism that prevents the gun from being able to fire when the magazine is removed from the gun, even if there is still a round in the chamber. Magazine disconnects are required by law in some states.

**MAGAZINE LOADER** – A mechanical device to make it easier to fill magazines using less hand strength and without hurting one’s fingertips or thumbs.

**MAGAZINE POUCH** – Commonly shortened to mag pouch, this is a device to hold extra magazines which fastens to the shooter’s belt.

**MAGAZINE WELL** – The opening in the bottom of the gun into which a box magazine is fed. On a semi-auto handgun, the magazine well is at the base of the grip; on a rifle, it is usually placed in front of the trigger guard.

**MAGNUM** – A term indicating a relatively heavily loaded metallic cartridge or shotshell and a gun safely constructed to fire it. It generally indicates a round which cannot be interchanged with other loadings of the same caliber (for example, a .22 Magnum shell does not fit within a firearm designed to fire .22 Long Rifle ammunition).

**MAINSRING** – Term often used for the hammer spring.

**MALFUNCTION** – A misfeed or other failure to fire which can be cleared on the spot and without tools.

**MANUAL SAFETY** – A safety which the shooter must deliberately disengage in order to fire the gun. The most common form of safety mechanism is a switch that, when set to the “safe” position, prevents a pull of the trigger from firing the firearm.

**MASTER MARKSMAN** – A person who can shoot up to the mechanical capability of their firearm.

**MATCH GRADE** – A higher quality item used to increase accuracy — generally used for competition in a match. Match grade ammo and barrels are the most common improvements made to a firearm to improve accuracy for competition.

**MINUTE OF ANGLE (MOA)** – A unit of angle that is equal to one 1/60 of one degree. Used to adjust sight angles to aim a firearm.

**MISFEED** – Is a failure of the next round to completely enter the chamber. Misfeeds and failures to feed are very similar, a failure to feed is a round that never even leaves the top of the magazine, while a misfeed is a round that leaves the magazine but does not enter the chamber.

**MISFIRE** – The condition of a cartridge not firing when an attempt to fire it is made. It can be caused by either a defective cartridge or a defective firearm. The term is frequently misused to indicate a Negligent Discharge of a firearm.

**MOA**- Minute of Angle

**MOON CLIP** – A flat, circular loading device for revolvers and is designed specifically for rimless cartridges (such as 9mm Luger or .45 ACP), and it becomes an integral part of the revolver while firing.

**MOUSE GUN** – A name for any palm sized handgun which fires a small caliber.

**MUFFS** – Hearing protection which completely covers both ears and is usually attached to a headband (sometimes to a neckband rather than a headband).

**MULTI-BARRELED** – A gun with more than one barrel, the most common being the double-barreled shotgun.

**MUSHROOMED BULLET** – A description of a bullet whose forward diameter has expanded after penetration.

**MUSKET** – A long gun which has a completely smooth bore and is intended to fire a single projectile rather than a collection of shot.

Muskets were common before rifles were invented, but now they are mostly collector's items.

**MUZZLE** – The open end of the barrel from which the projectile exits.

**MUZZLE CONTROL** – Being aware of and responsible of which direction your firearm is pointed at all times, and always keeping it pointed in a safe direction.

**MUZZLE BRAKE** – An attachment to or integral part of the barrel that redirects some of the pressurized gas that propelled the bullet out the muzzle to the sides and possibly rearwards from the direction of the bullet travel. This reduces the recoil of the firearm.

**MUZZLE FLASH** – A muzzle flash is the visible light of a muzzle blast, which expels high temperature, high pressure gases from the muzzle of a firearm. The blast and flash are caused by the combustion products of the gunpowder, and any remaining unburned powder, mixing with the ambient air. The size and shape of the muzzle flash is dependent on the type of ammunition being used and the individual characteristics of firearm and any devices attached to the muzzle (such as a muzzle brake or flash suppressor)

**MUZZLELOADER** – The earliest type of gun, now also popular as modern-made replicas, in which blackpowder and projectile(s) are

separately loaded in through the muzzle. The term is often applied to cap-and-ball revolvers where the loading is done not actually through the muzzle but through the open ends of the cylinder's chambers.

**MUZZLE VELOCITY** – The speed of the bullet, measured in feet per second or meters per second, as it leaves the barrel.

**NEGLIGENT DISCHARGE (ND)** – The unplanned discharge of a firearm caused by a failure to observe the basic safety rules, not a mechanical failure of the gun. See The 4 Rules.

**NFA 34 (NATIONAL FIREARMS ACT OF 1934)** – The set of federal regulations that govern the sale and possession of certain classes of firearms. It among other things:

- Requires the registration of all fully automatic firearms.
- Requires the registration of all “sawed off” rifles and shotguns.
- Requires the registration of firearm silencers.
- Imposes a \$200 transfer tax on the above items.
- Regulates the sale, manufacture, transfer, and transportation of the above items.

**NIGHT SIGHTS** – A type of iron sights that glow or shine in the dark, intended for use in low light conditions. Some night sights consist of tiny tubes of tritium, while others use a phosphorus paint

**NRA** – The National Rifle Association. This organization coordinates shooting events on a national level, provides firearms training to civilians and law enforcement, fights restrictive firearms legislation and supports the constitutional right of law abiding citizens to own and carry firearms.

**OFF HAND** – 1) means to shoot while standing and without bracing against anything. It also means the non-dominant hand.

**OGIVE** – A type of curve represented by the curved section of a bullet between its bearing surface and its tip.

**OPEN BOLT FIRING (SYSTEM)** – A type of firearm in which the action is in the open position and the chamber empty prior to firing. When the trigger is pressed the bolt moves forward, chambering a cartridge and firing it and returning to the open position. When firing is stopped the bolt remains open and the chamber empty. Most submachine guns utilize this type of action.

**OPEN FRAME** – Refers to a revolver frame that has no top-strap over the cylinder.

**OPEN SIGHTS** – A common type of iron sights in which the rear sight is an open-topped U or a V or a square-notch shape and with a blade type front sight, in contrast to the closed circle commonly found in aperture sights.

**OTM (Open Tip Match) Bullet** – A rifle projectile made with the tip of the bullet open as a means of increasing accuracy as compared to standard military bullets that are made with a closed tip and an open base. They are not designed to expand like a hollow point bullet but may fragment.

**OUT OF BATTERY** – A semi-automatic is said to be out of battery when the slide fails to come all the way forward again after the gun has fired. This condition can be created by a misfeed, a dirty gun, weak springs, the shooter’s thumbs brushing against the slide, riding the slide, or any of several other causes.

**OVER/UNDER** – A shotgun with two barrels that are vertically aligned with each other, one on top of the other.

**OVERSHOOT (TO)** – A term used in artillery to indicate a projectile impact beyond the designated target.

**OVER TRAVEL** – If the trigger is able to continue moving to the rear after the shot has fired, the trigger is said to over-travel.

**OVERBORE CAPACITY** – Is that combination of caliber, barrel length, bullet weight, and case volume which does not allow the complete burning of the charge of ballistically correct powder within the volume of case and barrel.

**P+ AMMUNITION** – Is small arms ammunition that has been loaded to a higher internal pressure than standard for it’s caliber. Many calibers are available in both standard and +p or +p+ variants. Ammunition marked +p produces more power and higher pressures than the standard ammunition. Not all firearms are designed to handle the increased pressure consult your owner’s manual or gun manufacturer before using +P ammunition.

**PAIR** – Two shots fired very quickly with the use of the sights.

**PARALLAX** – This occurs in telescopic sights when the primary image of the objective lens does not coincide with the reticle. Telescopic sights often have parallax adjustments to minimize this effect.

**PASSIVE SAFETY** – Any safety, internal or external, which functions apart from the shooter’s conscious control. Grip safeties are one example of a passive external safety.

**PATTERN** – A shotgun term which refers to the manner in which the pellets spread out as they exit the gun. THE pattern refers to the overall shape of the entire set. A tight pattern is one in which the pellets are closely grouped when they land on target. A loose pattern is one in which the pellets are widely spread.

**PEACE OFFICER** - any town marshal, chief of police or local police officer, sheriff or deputy sheriff, the Superintendent of Law Enforcement and Public Safety, any officer of the Nebraska State Patrol, any member of the National Guard on active service by direction of the Governor during periods of emergency or civil disorder, any Game and Parks Commission conservation officer, and all other persons with similar authority to make arrests;

**PEEP SIGHT** – An alternate name for Aperture Sight.

**PELLET GUN** – A rifle or pistol using compressed air or CO2 to propel a skirted pellet as opposed to a spherical BB. Not a firearm.

**PELLETS** – Small spherical projectiles loaded in shotshells and more often called “shot.” Also the skirted projectiles used in pellet guns.

**PERMIT HOLDER** - an individual holding a current and valid permit to carry a concealed handgun issued pursuant to the Concealed Handgun Permit Act

**PISTOL** – Synonymous with “handgun.” A gun that is generally held in one hand. It may be of the single-shot, multi-barrel, repeating or semi-automatic variety and includes revolvers.

**PISTOL GRIP** – An extra handle behind the trigger for the firing hand to wrap around. A “semi-pistol grip” is one less pronounced than normal; a “vertical pistol grip” is more pronounced than normal.

**PLINKING** – Informal shooting at any of a variety of inanimate targets. The most often practiced shooting sport in this country.

**POINT SHOOTING** – Shooting without using the sights. Point shooters use body position or other cues to provide a sense of where the shots will land.

**POINT BLANK RANGE** – The farthest distance that a target of a given size can be hit without holding over or under with the sights. The exact range is determined by the performance of the cartridge used, the ZERO range, and the accepted size of the target area.

**PORT** – An opening. The ejection port is the opening in the side of a semi-auto from which spent cases are ejected.

**PORTING** – Openings at the muzzle end of the gun through which some of the spent gases can escape. Porting reduces perceived recoil and lessens muzzle rise but increases the noise and flash.

**POWDER** – The chemical propellant which is burned to produce the hot gases which send the bullet flying downrange.

**PRE-TRAVEL** – Some triggers can be pulled slightly backwards before the shooter can feel any tension and before the hammer or striker begins to retract. Pre-travel is any movement of the trigger that begins before the trigger starts to engage.

**POWDER CHARGE** – The amount of propellant powder that is suitable for specific cartridge-bullet combination, or in the case of shotshells, for a specific weight of shot and wad column.

**PRACTICAL SHOOTING** – A shooting sport that simulates the use of a small arm in its intended role either as a tool for hunting or personal defense. True practical shooting limits the small arms, ammunition, and accessories used to those items that would actually be used in the role simulated.

**PRIMER** – A small metal cup that contains a tiny explosive charge that is sensitive to impact. A primer is placed in the base of a shell casing to ignite the powder of the completed cartridge. It is detonated by the striking of a firing pin in the firearm.

**PRIMER POCKET** – The counter bore in the center of the base of a centerfire cartridge casing in which the primer assembly is seated.

**PRIMER RING** – Refers to a visible dark ring created by the primers in centerfire ammunition around the firing pin hole in the frame after much use.

**PRINTING** – Is when the outline of the concealed handgun may be discerned through the outer clothing.

**PROOF OF TRAINING** - an original document or certified copy of a document, supplied by an applicant that certifies that he or she either: (a) Within the previous three years, has successfully completed a handgun training and safety course approved by the Nebraska State Patrol pursuant to section 69-2432; or (b) Is a member of the active or reserve armed forces of the United States or a member of the National Guard and has had handgun training within the previous three years which meets the minimum safety and training requirements of section 69-2432.

**PROPELLANT** – In a firearm the chemical composition that is ignited by the primer to generate gas. In air or pellet guns, compressed air or CO<sub>2</sub>.

**PUBLIC OFFICER** - any elected or appointed officer or employee of the State of Nebraska or its political subdivisions, except any duly authorized law enforcement officer of the State of Nebraska or its political subdivisions

**PULL** – 1) The entire process of making the trigger complete its journey past the trigger break. 2) What a shotgun shooter yells when she wants a target (typically a clay pigeon) to be thrown into the air to shoot.

**PULL DISTANCE** – The distance the trigger must travel before it reaches the break point and fires the gun.

**PUMP ACTION** – Pump or Pump Action – A type of mechanism for removing a spent shell casing from the chamber of a firearm and inserting a fresh cartridge into the chamber. This type of mechanism is most commonly used in shotguns and rimfire rifles.

**PYRODEX** – A trade name for a blackpowder substitute, the only such safe substitute known at this time.

**RACKING THE SLIDE** – pulling the slide back to its rearmost position, and then letting it go forward under its own spring tension. Racking the slide loads the chamber and prepares the gun to fire in a semi-automatic handgun.

**RAIL** – A feature on the underside of the frame below the barrel which allows various aftermarket accessories to be attached the firearm such as flashlights or lasers.

**RAILS** – The metal surfaces upon which a semi-automatic's slide travels to and fro as each shot is fired.

**RANGE FINDER** – A device used to determine the range to a target. Many range finders work by bouncing a laser beam off the target or nearby object and measuring the time for the reflection to arrive back at

the instrument. It is also possible to use various passive optical devices such as a mil-dot telescopic sight.

**REACH** – The measurement from the backstrap to the face of the trigger.

**REACTIVE TARGETS** – Targets that do something when you hit them, such as fall over, burst, send up smoke, or make a noise.

**REAR SIGHT** – The rear sight is placed at the end of the barrel nearest the shooter. It may be in the shape of a square notch, a U, a V, a ring, or simply two dots designed to be visually placed on either side of the front sight while shooting.

**RECEIVER** – The housing for a firearm’s breech (portion of the barrel with chamber into which a cartridge or projectile is loaded) and firing mechanism. In semi-automatic handguns and revolvers, this part is typically called the frame.

**RECOIL** – Sometimes called kick, is the sudden rearward push made against the shooter when a firearm is fired. This push is due to Newton’s Third Law of physics (for every action there is an equal and opposite reaction). The heavier the bullet and the faster it leaves the muzzle of the barrel the more recoil. A shooter is said to be recoil sensitive if she does not enjoy the sensation caused by this rearward force.

**RECOIL-OPERATED** – Refers to a semi-automatic pistol whose barrel and breechblock both recoil rearward in reaction to the discharging bullet. See “Short recoil” and “Long recoil”.

**RECOIL SPRING** – The recoil spring is the powerful spring that cushions the slide in its rearward travel and then sends the slide forward again with enough force to drive the fresh round firmly into the chamber. The strength of the recoil spring is calibrated to run the slide without any outside assistance.

See also: riding the slide.

**RED DOT SIGHT** – An optical sight that uses an internal illuminated dot (normally red in color) as an aiming point. They provide for fast target acquisition. They may or may not offer magnification.

**REGISTRATION** – A method by which a gunsmith makes all the slots of the screws in a firearm line up. Usually this involves such things as machining a new slot in the screw.

**RECEIVER** – The portion of a rifle that has the serial number on it. The stock, barrel, and other components such as the bolt are typically attached to the receiver. Some firearms may have a multipart receiver such as an upper receiver and a lower receiver.

**REGULATE** – Double barreled guns need to be adjusted so both barrels shoot to the same point of aim at some particular distance.

**RELOAD** – 1) To refill the firearm with ammunition in order to continue shooting.

2) When a shooter reuses empty brass cases and fills them with new primers, powder, and bullets.

**REPEATING FIREARM** – A firearm that may be discharged repeatedly without recharging by means of deliberate, successive mechanical actions of the user.

**RESET** – The point of the trigger’s return at which the gun’s internal mechanisms are ready to fire another round.

**RETICLE** – Typically crosshairs or a dot that are seen in the center of a firearm scope that assists the rifleman in aligning the shot, that is adjusted so that it appears to be on the same plane as the target.

**REVOLVER** – A gun, usually a handgun, with a multi-chambered cylinder that rotates to successively align each chamber with a single barrel and firing pin.

**RIDING THE SLIDE** – Racking the slide incorrectly by allowing your hand to rest upon the slide as it moves forward during the loading procedure. Riding the slide is a common cause of misfeeds and other malfunctions.

**RIFLE** – A firearm designed to be fired from the shoulder and fire only a single projectile at a time, as opposed to a shotgun which can throw many small projectiles (shot) at the same time.

**RIFLING** – Spiral grooves in a gun’s bore that spin the projectile in flight and impart accuracy. Rifling is present in all true rifles, in most handguns and in some shotgun barrels designed for increasing the accuracy potential of slugs (a slug is a single projectile rather than the more common “shot”.)

**RIGHT TO BEAR ARMS** – The unalienable right of all of the people, stated in the Second Article of The Bill of Rights, to possess and use personally owned firearms for sport, recreation, personal protection, and the defense of the nation.

**RIMFIRE** – A rimfire is a type of firearm cartridge. It is called a rimfire because instead of the firing pin of a gun striking the primer cap at the center of the base of the cartridge to ignite it (as in a centerfire cartridge), the pin strikes the base’s rim. A rimmed or flanged cartridge with the priming mixture located inside the rim of the case. The most famous example is the .22 rimfire.

**RIMLESS** – A cartridge in which the base diameter is the same as the body diameter. The casing will normally have an extraction groove machined around it near the base, creating a “rim” at the base that is the same diameter as the body diameter.

**RIOT GUN** – A popular term for a short barreled repeating shotgun as frequently used in law enforcement and personal protection.

**ROUND** – Synonym for a cartridge. A unit of measure for ammunition which is one complete unit of ammunition, which includes a bullet (or other projectile), powder, and a primer, and is contained in an outer shell or case. Typical quantities are 20 rounds and 50 rounds in single box.

**ROUGH TRIGGER** – A trigger which has a gritty or inconsistent feel during the pull.

**ROUND GUN** – Slang term for a revolver.

**ROUND NOSE** – The classic bullet shape.

**RUNNING THE GUN** – Performing all necessary manipulations (such as loading, unloading, or clearing jams) to keep the firearm functioning as designed.

**SABOT** – A lightweight carrier surrounding a heavier projectile of reduced caliber, allowing a firearm to shoot ammunition for which it is not chambered. For example, a hunter could use his .30-30 deer rifle to shoot small game with .22 centerfire bullets.

**SAFE** – 1) A firearm is said to be on safe when its safety is engaged and off safe when it is ready to fire. Always follow the Four Rules even when the safety is engaged.

2) A locking container in which firearms are stored when not in use.

**SAFETY** – Conscientiously following the Four Rules every single time you handle a firearm.

**SAFETY (MECHANICAL)** – A mechanical device used to block the firing pin or trigger such that the firearm cannot be fired.

**SATURDAY NIGHT SPECIAL** – A catchy phrase having no legal or technical meaning.

**SAWED-OFF SHOTGUN (RIFLE)** – Common term for federally restricted “short-barreled shotgun (rifle)” as with a conventional shotgun with barrel less than 18” (rifle less than 16”) or overall length less than 26.”

**SCATTERGUN** – A casual term for a shotgun.

**SCHOOL** - A public, private, denominational, or parochial elementary, vocational, or secondary school, a private postsecondary career school as defined in section 85-1603, a community college, a public or private college, a junior college, or a university

**SCOPE** – A magnifying tube through which the shooter may see the target and aim the firearm. Scopes contain a reticle, commonly in the shape of a cross, which must be properly centered upon the target for accurate aim.

**SEAR** – The part of the trigger mechanism which holds the hammer or striker back. Pressure on the trigger causes the sear to release the hammer or striker, allowing it to strike the firing pin and discharge the firearm.

**SECOND AMENDMENT (THE)** – The second article in the United States Bill of Rights which states, “A well regulated militia being necessary for a free state, the right of the people to keep and bear arms shall not be infringed.”

**SELECTIVE-FIRE** – A firearm’s ability to be fired fully automatically, semi-automatically or, in some cases, in burst-fire mode at the option of the firer.

**SEMI-AUTOMATIC** – A firearm designed to fire a single cartridge, eject the empty case and reload the chamber each time the trigger is

pulled. It uses the energy from the fired shot to eject the empty case and feed the next round into the chamber

**SEMI-WADCUTTER (SWC)** – A bullet design featuring a conical extended nose, with a flat point, and a sharp edged shoulder that serves to cut a full diameter hole in the target. This design also may be found with a hollow point to facilitate expansion. A modified wadcutter bullet design with slightly sloping edges, designed to load smoothly in a semi-automatic pistol.

**SHELL** – An empty ammunition case.

**SHELL CASING** – A hollow, piece of metal that is closed on one end except for a small hole which holds a primer. The open end holds the bullet. The hollow portion holds the powder. Together the assembled unit is called a cartridge.

**SHELL, SHOTGUN** – The cartridge for a shotgun. It is also called a “shell,” and its body may be of metal or plastic or of plastic or paper with a metal head. Small shotshells are also made for rifles and handguns and are often used for vermin control.

**SHOOTING SPORTS** – There are a lot of different competitions and other games which involve firearms. These are all referred to collectively as the shooting sports.

**SHORT RECOIL** – A semi-automatic pistol in which the barrel and breechblock are locked together for only a short distance of rearward recoil travel, at which point the two are uncoupled, the barrel is stopped and the breechblock continues rearward, extracting the spent casing from the chamber. Upon returning forward, the breechblock chambers a fresh round and forces the barrel back into its forward position. Most modern recoil operated semi-automatic pistols use short recoil.

**SHORT RIFLE** - A rifle having a barrel less than sixteen inches long or an overall length of less than twenty-six inches

**SHORT SHOTGUN** -A shotgun having a barrel or barrels less than eighteen inches long or an overall length of less than twenty-six inches

**SHORT TRIGGER** – A trigger that doesn’t have to travel very far before it reaches the break. In a 1911 semi-auto pistol, a short trigger is a different part than a long trigger, and (in addition to providing less motion) it features a shorter reach which may be of benefit to a small-handed shooter.

**SHORT-STROKING** – On a pump-action firearm, being too gentle with the fore-end and either not pulling it all the way back at the beginning of the stroke, or not shoving it all the way forward at the end of the stroke. Which may result in the old case or shell failing to eject and a misfeeds, or the gun will not fire when the trigger is pulled. The term is used most often to refer to pump-action shotguns, but it is possible to similarly short-stroke any type of firearm which requires the user to manually cycle the action (lever action rifles, for example).

**SHOT** – Multiple pellets contained in the shotshell and sent downrange when the shotgun is fired.

**SHOTGUN** – A smooth bore long gun that shoots a group of pellets called shot instead of bullets. Depending on the bore size and the size of the pellets there may be from less than 10 to two hundred or more pellets in a single shotgun cartridge. Shotguns are designed for shooting moving targets (such as flying birds or running rabbits) at close range

**SHOTSHELL** – The cartridge for a shotgun. It is also called a “shell,” and its body may be of metal or plastic or of plastic or paper with a metal head. Small shotshells are also made for rifles and handguns and are often used for vermin control.

**SHOULDER** – To bring the butt of a long gun’s stock to the shooter’s shoulder, preparatory to firing the gun.

**SIDE-BY-SIDE** – A shotgun with two barrels which are situated next to each other.

**SIGHTS** – The device that aids the eye in aiming the barrel of a firearm in the proper direction to hit a target. They can be a mechanical, optical, or electronic device. Iron sights or sometimes called open sights, consist of specially-shaped pieces of metal placed at each end of the barrel. The sight closest to the muzzle end of the gun is called the front sight, while the one farthest from the muzzle (and nearest to the shooter) is called the rear sight.

**SIGHT ALIGNMENT** – The manner in which the sights are lined up properly in front of the shooter’s eye in reference to one another.

**SIGHT PICTURE** – The proper placement of aligned sights on the target.

**SIGHT RADIUS** – The distance between the rear sight and the front sight.

**SIGHT, FRONT** – The front sight is placed at the muzzle end of the barrel. It is often (but not always) in the form of a dot or a blade. To attain a proper sight picture and shoot with the greatest degree of accuracy, the shooter’s eye should be focused sharply upon the front sight while shooting, allowing both the rear sight and the target to blur somewhat.

**SIGHT, REAR** – The rear sight is placed at the end of the barrel nearest the shooter. It may be in the shape of a square notch, a U, a V, a ring, or simply two dots designed to be visually placed on either side of the front sight while shooting.

**SILENCER** – Properly called a suppressor this highly regulated device is used to reduce the sound of a firearm’s discharge. They do not actually silence most firearms but rather lower the intensity of the muzzle blast and change the sound characteristics. The possession, use, and transportation of silencers have been tightly controlled under federal law since 1934. Any device which reduces the sound of discharge by more than 2 dB is considered by the BATF to be a “silencer.”

**SILHOUETTE SHOOTING** – A handgun or rifle shooting sport in which the competitors attempt to knock over metallic game-shaped targets at various ranges.

**SINGLE – ACTION (SA)** – A pistol or revolver, in which the trigger is only used for firing the firearm, and cannot be used to cock the firing mechanism. On single-action revolvers, the hammer must be manually drawn back to full cock for each shot. On pistols, the recoil action will automatically re-cock the hammer for the second and subsequent shots. A single-action semi-automatic firearm has a hammer that is not actuated by the trigger. The hammer may be cocked by hand, or by racking the slide, or by the rearward movement of the slide after each shot is fired. The most widely known single-action semi-auto handgun is the 1911-style pistol designed by John Moses Browning

**SINGLE-SHOT** – A gun mechanism lacking a magazine where separately carried ammunition must be manually placed in the gun's chamber for each firing.

**SLACK** – To 'take up the slack' means to pull the trigger through its pre-travel stage.

See pre-travel.

**SKEET** – A shotgun shooting sport in which the competitors attempt to break aerial targets directed toward them or crossing in front of them from different angles and elevations. It is an Olympic shooting sport.

**SLIDE** – The upper portion of a semi-automatic pistol that houses the barrel and contains the breechblock and portions of the firing mechanism. Ejecting the spent case as it moves to the rear and loading a fresh cartridge into the chamber as it moves forward again. As its name states, it slides along tracks in the top of the frame during the recoil process providing the linkage between the breechblock and barrel. To rack the slide means to pull the slide back to its rearmost position, and then let it go forward under its own spring tension. To ride the slide means to rack the slide incorrectly, allowing your hand to rest upon the slide as it moves forward during the loading sequence. Riding the slide is a common cause of malfunctions.

**SLIDE-ACTION** – A gun mechanism activated by manual operation of a horizontally sliding handle almost always located under the barrel. "Pump-action" and "trombone" are synonyms for "slide-action."

**SLIDE LEVER** – Typically refers to a lever either on the left or right side of a pistol's frame that is used to release the slide for removal, maintenance and cleaning.

**SLIDE LOCK** – When most semi-automatic firearms have been fired until its magazine is empty, the slide will remain in its rearmost position and lock open. This condition of the gun is called slide lock.

**SLIDE RELEASE** – The slide release lever is usually located on the left side of the slide, and is pushed down to unlock the slide and release it to

move forward into its normal position. It is sometimes called the slide stop or slide stop lever.

**SLING** – A long strip of leather, plastic, or nylon which is fastened at the fore and rear of the gun for the easy carry of long guns.

**SLUG** – More correctly a “rifled slug” or “shotgun slug.” An individual cylindrical projectile designed to be discharged from a shotgun. The term is often incorrectly used to mean a Bullet.

**SLUG-GUN** – Slang for a shotgun which is set up specifically to fire a slug (a large, single projectile) rather than shot (multiple projectiles contained within a single shell).

**SMALL ARMS** – Firearms designed to be carried and used by an individual or individuals.

**SMOKELESS POWDER** – The propellant powder used in modern ammunition. It is not an explosive, but rather a flammable solid that burns extremely rapidly releasing a large volume of gas. Commonly called “gunpowder” and usually made from nitrocellulose, or nitrocellulose and nitroglycerin. It is classified as a “Flammable Solid” by the Department of Transportation.

**SMOOTH BORE** – A barrel without rifling. Smooth bore barrels are commonly used in shotguns and in large bore artillery that fire fin stabilized projectiles.

**SNAP-CAP** – An inert ammunition-shaped object, used in practice to simulate misfeeds and other malfunctions. Some folks also use them during dry fire practice to cushion the firing pin as it strikes.

**SNIPER** – A military person designated as a special marksman who is used to shoot designated targets of opportunity at long range.

**SNIPER RIFLE** – A specialized, highly accurate rifle, fitted with an optical sight used by military snipers to engage personnel and hard targets at long range.

**SNUBBY** – Casual slang for a short-barreled revolver.

**SNUB-NOSED** – Descriptive of (usually) a revolver with an unusually short barrel.

**SPEED STRIP** – A flat piece of rubber which holds revolver cartridges preparatory to loading them into the revolver’s cylinder.

**SOB-** Small of the Back. Refers to carrying a holster in the six o’clock position on ones waistband.

**SOFT POINT** – A metal jacketed bullet design in which the nose of the core of the bullet is exposed to ensure the expansion of the bullet upon impact. Often abbreviated “JSP” or “SP.” They tend to expand more slowly than a Hollow Point bullet and are used where deeper penetration and expansion are needed.

**SPEED LOADER** – In revolvers the speed loader is a circular device or clip that holds a complete set of cartridges and are aligned to insert into all chambers of the cylinder simultaneously.

**SPOTTER** – The spotter is a helper who gives the shooter guidance on how to hit a particular target. In some cases the spotter may just report the location of the bullet impact. In other cases they may judge the speed and direction of the wind, determine the range, and give the shooter the settings to be used on the sights.

**SPORTING CLAYS** – A shotgun shooting sport that combines elements of skeet and trap, and that is designed to simulate field conditions.

**SPORTING FIREARM** – Any firearm that can be used in a sport.

**SPRAY AND PRAY** – A term often used to refer to the very poor and dangerous practice of rapidly firing many shots at a target as possible in the hope that one or more may hit the target. This practice is a danger not only to bystanders but also to the shooter.

**SQUIB** – A round of ammunition which has less power than it is supposed to, often having no powder at all. Squib loads are very uncommon when shooting commercial ammunition.

**STANCE** – How the shooter positions her body while shooting. The three most widely-known handgun stances are Weaver, Chapman, and Isosceles.

**STOCK** – 1) The back part of a rifle or shotgun, excluding the receiver. It is commonly made of wood, wood laminate, metal, or plastics. 2) An unaltered firearm as it comes from the factory. 3) Some people and companies refer to handgun grip panels as stocks.

**STOVEPIPE** – Failure of a spent case to completely eject from a semi-automatic firearm. The case usually stands on end while lodged in the ejection port.

**STRIKER** – In a handgun that does not have a hammer, the striker is a linear driven, spring loaded cylindrical part which strikes the primer of a chambered cartridge. The striker replaces both the hammer and firing pin found in hammer driven pistols.

**STRIPPER CLIP** – Simple clips made of metal or sometimes plastic that hold several rounds of ammunition in a row and is used to quickly fill a magazine.

**STOPPING POWER** – A popular but imprecise term used to refer to the ability of a small arms cartridge to cause a human assailant or an animal to be immediately incapacitated when shot with it. A more precise term is be Wound Trauma Incapacitation (WTI).

**SUBMACHINE GUN** – A fully automatic firearm commonly firing pistol ammunition intended for close-range combat.

**SUPPRESSOR, SOUND** – Improperly called a “silencer” this highly regulated device is used to reduce the sound of a firearm’s discharge. They do not actually silence most firearms but rather lower the intensity of the muzzle blast and change the sound characteristics. The possession, use, and transportation of silencers have been tightly controlled under federal law since 1934. Any device which reduces the sound of discharge by more than 2 dB is considered by the BATF to be a “silencer.”

**TANGE** – The recurved top part of a semi-automatic handgun’s grip at the point where it meets the slide. On long guns, the tang is the top strap used to screw the receiver to the stock.

**TAP, RACK, BANG** or **TAP RACK ASSESS**– The slang term for the procedure to clear a misfire or failure to eject malfunction. To clear a handgun, tap the base of the magazine firmly to be sure it is properly seated, rack the slide to eject an empty case or feed a new round, and assess to be sure your target still needs shooting. If it does, pull the trigger to create the bang.

**TEFLON** – Trade name for a synthetic sometimes used to coat hard bullets to protect the rifling. Other synthetics, nylon for instance, have also been used as bullet coatings. None of these soft coatings has any effect on lethality.

**TELESCOPIC SIGHT** – A sight which has an integral telescope.

**THREE RULES of GUN SAFETY**- (Some training agencies use four rules and others use these three.)

1. ALWAYS keep your muzzle pointed in a safe direction.
2. ALWAYS keep your finger off the trigger until ready to shoot.
3. ALWAYS keep your gun unloaded until ready to use.

**THUMB SAFETY** – An external, manual safety which is typically disengaged with the firing-hand thumb.

**TOE (OF A STOCK)** – The bottom of the butt, when the gun is in position on the shoulder to be fired, is called the toe

**TOPSTRAP** -The part of a revolver frame that extends over the top of the cylinder and connects the top of the standing breech with the forward portion of the frame into which the barrel is mounted.

**TOTAL METAL JACKET** – A type of bullet in which the lead core is encased in a copper jacket on the front and sides.

**TRACE** – Visible disturbance in the air by a bullet. Typically this takes the form of image distortion that persists for a fraction of a second in the shape of an inverted V similar to that of a boat wake.

**TRACER (AMMUNITION)** – A type of ammunition that utilizes a projectile or projectiles that contain a compound in its base that burns during its flight to provide a visual reference of the projectile’s trajectory.

**TRAJECTORY** – The arc described by a projectile traveling from the muzzle to the point of impact.

**TRAP** – A shotgun shooting sport in which the competitors attempt to break aerial targets going away from them at different angles and elevations. It is an Olympic shooting sport. The term can also refer to the device used to throw the targets.

**TRIGGER** – The release device that initiates the cartridge discharge. Usually a curved, grooved or serrated piece that is pulled rearward by the shooter’s finger, which then activates the hammer or striker and the gun fires.

Typically, pulling the trigger releases the striker or allows the hammer to fall, causing the firing pin to strike the primer. The primer then ignites the powder within the round. Burning gases from the powder force the bullet out of its case and through the barrel, causing the bullet to exit the muzzle end of the gun and strike the target. In addition to releasing the hammer or striker, some triggers may cock the hammer or striker, rotate a revolver's cylinder, deactivate passive safeties, or perform other functions.

**TRIGGER BAR** – On a semi-automatic pistol, or any other firearm in which the trigger is at some distance from the sear, this is an intermediate piece connecting the two parts.

**TRIGGER CONTROL** – Not putting your finger on the trigger until your sights are on target, then pulling the trigger smoothly, and following through by realigning the sights before allowing your finger to come off the trigger.

**TRIGGER GROUP** – The entire collection of moving parts which work together to fire the gun when the trigger is pulled. It may include trigger springs, return springs, the trigger itself, the sear, disconnectors, and other parts.

**TRIGGER GUARD** – Usually a circular or oval band of metal, horn or plastic that goes around the trigger to provide both protection and safety in shooting circumstances. The shooter's finger should never be within the trigger guard unless the sights are on target and the shooter has made the decision to fire.

**TRIGGER JERK** – Yanking the trigger back abruptly, thus pulling the muzzle of the gun downward at the moment the shot fires.

**TRIGGER LOCK** – A locking device put on a firearm to render it unable to be fired. This can be useful in a home which does not have a gun safe and has small children.

**TRIGGER PULL** – The entire process of moving the trigger from its forward-most position to its rearward-most position, causing the hammer to fall and the shot to fire.

**TRIGGER PULL WEIGHT** – How much pressure the trigger finger must put on the trigger before the gun will fire. Trigger pull weight is measured by the number of pounds and ounces of pressure required to pull the trigger past the break.

**TRIGGER SAFETY** – An external, passive safety which can be found on the face of some trigger designs. It is intended to prevent the trigger from being pulled by objects which press the sides of the trigger or from dropping on the backstrap.

**TRIGGER SCALE** – A specialized type of hanging scale designed to test trigger pull weight.

**TRIGGER SLAP** – An abrupt method of pressing the trigger which typically drives the show low and away from the dominant hand.

**UNLAWFUL FORCE** - Force, including confinement, which is employed without the consent of the person against whom it is directed and the employment of which constitutes an offense or actionable tort or would constitute such offense or tort except for a defense such as the absence of intent, negligence, or mental capacity; duress; youth; or diplomatic status; not amounting to a privilege to use the force

**WAD** – A felt, paper, cardboard or plastic disk that is used in a shotshell. Also in muzzle loading, a piece of cloth used to seal the bullet in the barrel. Its purpose and function is the same as a shotgun wad.

**WADCUTTER (WC)** – A bullet designed with a full diameter flat point. It is primarily used in target competition because it cuts a clean round hole in paper targets that aids in scoring the target.

**WCF** Winchester Centerfire, a type of ammunition.

**WAITING PERIOD** – A legally mandated delay between the purchase of a firearm and its delivery to the customer enforced in some jurisdictions.

**WEAPON** – Any tool that can be used to apply or project lethal force.

Webster defines it as “an instrument of offensive or defensive combat.”

**WEAVER STANCE** – A two handed pistol shooting position named after Jack Weaver, a Deputy Sheriff in the 1950s. The body is angled slightly in relation to the target rather than squarely facing it. The elbows are flexed and pointed downward. The strong-side arm pushes out, while the weak hand pulls back. This produces a push-pull tension which is the chief defining characteristic of the Weaver stance.

**WHEEL GUN** – Casual slang for a revolver.

**WINDAGE** – The setting on the sights used to accommodate the wind or adjust for horizontal errors in the alignment of the sights with the bore of the firearm.

**WOUND TRAUMA INCAPACITATION** – The correct technical term for the ability of a projectile to incapacitate an animal or human shot with a firearm. Incorrectly called Stopping Power.

**YOUTH RIFLE** – A short, lightweight rifle. Some are small enough for a young child to easily handle, while others are large enough to perfectly suit teenagers, average-sized adult women, and small-statured adult males.

**YOUTH STOCK** – A short stock, often ideally sized for teenagers, average-sized adult women, and small-statured adult males.

**ZERO** – A firearm is said to be “zeroed in” when its sights have been adjusted so that the bullet will hit the center of the target when the sights are properly aligned upon the center of the target. The farthest distance from a firearm at which the bullet’s path and the point of aim coincide. This term is also used to mean the process of insuring that the sights of a firearm are properly aligned so that where they indicate the bullet will strike is in fact where it strikes.

[www.NebraskaShooters.com](http://www.NebraskaShooters.com) – One stop resource for firearm training and concealed carry information

[www.NebraskaShooters.com/Concealed-Carry-Insurance](http://www.NebraskaShooters.com/Concealed-Carry-Insurance) - An analysis of several choices of legal defense for self-defense!

[www.StatePatrol.Nebraska.gov](http://www.StatePatrol.Nebraska.gov) – Forms and FAQ for concealed carry in Nebraska

[www.NebraskaLegislature.gov](http://www.NebraskaLegislature.gov) – Current version of statutes and bills before the unicameral

<http://www.NebraskaFirearms.org>– Nebraska Firearm Owners Association

<https://dps.mn.gov/divisions/bca/bca-divisions/administrative/Pages/firearms.aspx> -Minnesota Bureau of Criminal Apprehension

[www.HandgunLaw.us](http://www.HandgunLaw.us) – Current reciprocity maps and summary of laws in other states

[www.NRAInstructors.org](http://www.NRAInstructors.org) – Find NRA courses being offered in your area

[www.BigShotsIndoorRange.com](http://www.BigShotsIndoorRange.com) – Lincoln’s premier indoor range

[www.qprinstitute.com](http://www.qprinstitute.com) -Question. Persuade. Refer. Suicide Prevention Hotline

[www.NebraskaShooters.com/LCBCA](http://www.NebraskaShooters.com/LCBCA) Lancaster County Bounty Collection Agency. (Cowboy Action Shooting Group)

**Recommended Reading List**

**Marksmanship**

The Perfect Pistol Shot by Albert League

The Art of Instruction by Michael Seeklander

Building Shooters by Dustin Salomon

Mentoring Shooters by Dustin Salomon

Combat Shooting by Massad Ayooob

**Criminal Psychology and Combat Mindset**

Straight Talk on Armed Defense by Massad Ayooob

The Art of War by Sun Tzu

Verbal Judo by George J Thompson

When Violence is the Answer by Tim Larkin

Violence of Mind by Varg Freeborn

On Combat by Dave Grossman

On Killing by Dave Grossman

To Ride, Shoot Straight, and Speak the Truth by Jeff Cooper

The Gift of Fear by Gavin De Becker

Left of Bang by Patrick Van Horne

**Self Defense Laws**

The Laws of Self Defense by Andrew Branca

Deadly Force: Understanding Your Right to Self Defense by Massad Ayooob

In the Gravest Extreme by Massad Ayooob

More books are listed on our website at  
**WWW.NEBRASKASHOOTERS.COM**



	Total # of states Recognized	NEBRASKA	Open Carry without permit?	Must Notify an officer?	Alcohol Establishments		Total # Recognized	NEBRASKA	Open Carry without permit?	Must Notify an officer?	Alcohol Establishments	
Alabama	ALL	●	●	If Asked	Allowed	WWW.NEBRASKASHOOTERS.COM	Montana	43	●	●	If Asked	Open Only
Alaska	PC	●	●	Yes	CC Only		Nebraska	37	●	●	Yes	< 50%
Arizona	PC	●	●	Yes	CC Only		Nevada	27	●	●	If Asked	Allowed
Arkansas	PC	●	●	Yes	Allowed		New Hampshire	28	●	●	If Asked	Allowed
California	0	●	●	Yes	Allowed		New Jersey	0	●	●	If Asked	Allowed
Colorado	33	●	●	If Asked	Allowed		New Mexico	23	●	●	If Asked	CC Only
Connecticut	0	●	●	If Asked	Allowed		New York	0	●	●	If Asked	Allowed
Delaware	21	●	●	If Asked	Allowed		North Carolina	ALL	●	●	Yes	No
DC	0	●	●	If Asked	Allowed		North Dakota	39	●	●	Yes	No
Florida	35	●	●	If Asked	Allowed		Ohio	ALL	●	●	Yes	Allowed
Georgia	32	●	●	No	Allowed		Oklahoma	PC	●	●	Yes	Allowed
Hawaii	0	●	●	?	Allowed		Oregon	0	●	●	If Asked	Allowed
Idaho	ALL	●	●	If Asked	Allowed		Pennsylvania	29	●	●	If Asked	Allowed
Illinois	0	●	●	If Asked	No		Rhode Island	0	●	●	If Asked	Allowed
Indiana	ALL	●	●	If Asked	Allowed		South Carolina	25	●	●	Yes	No
Iowa	ALL	●	●	If Asked	Allowed		South Dakota	PC	●	●	If Asked	Allowed
Kansas	PC	●	●	If Asked	Allowed		Tennessee	ALL	●	●	If Asked	Allowed
Kentucky	PC	●	●	If Asked	Allowed		Texas	43	●	●	Yes	Allowed
Louisiana	36	●	●	If Asked	No		Utah	ALL	●	●	If Asked	Allowed
Maine	PC	●	●	No	Allowed		Vermont	PC	●	●	No	Allowed
Maryland	0	●	●	If Asked	Allowed		Virginia	ALL	●	●	If Asked	Allowed
Massachusetts	0	●	●	If Asked	Allowed		Washington	10	●	●	If Asked	Allowed
Michigan	ALL	●	●	Yes	Allowed		West Virginia		●	●	If Asked	Allowed
Minnesota	15	●	●	If Asked	Allowed		Wisconsin	47	●	●	If Asked	Allowed
Mississippi	PC	●	●	If Asked	Allowed		Wyoming	35	●	●	If Asked	Allowed
Missouri	PC	●	●	If Asked	Allowed							

PC= Permitted Carry

Information updated 7/1/2020

This information is for informational use only and is not legal advice.

# Shooting Wheel



This chart has been very useful in diagnosing shooting problems. Simply reverse the chart left to right for a left handed shooter.  
File available for download at [Nebraskashooters.com](http://Nebraskashooters.com)

