

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1030**

Introduced by Kintner, 2.

Read first time January 22, 2014

Committee:

A BILL

1 FOR AN ACT relating to crimes and offenses; to amend section 28-101,  
2 Revised Statutes Supplement, 2013; to prohibit cities and  
3 counties from enacting ordinances or resolutions or  
4 performing any other official act restricting the use of  
5 firearms to a greater extent than state law; to provide  
6 that residents of Nebraska are not subject to federal  
7 laws regarding firearms as prescribed; to provide  
8 penalties as prescribed; to harmonize provisions; and to  
9 repeal the original section.  
10 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 28-101, Revised Statutes Supplement,  
2   2013, is amended to read:

3           28-101 Sections 28-101 to 28-1356 and section 2 of this  
4 act shall be known and may be cited as the Nebraska Criminal Code.

5           Sec. 2. (1) This section shall be known and may be cited  
6 as the State Firearms Rights Act.

7           (2)(a) No ordinance, resolution, or other official act of  
8 a city or county shall restrict the carrying, possession, transfer,  
9 purchase, sale, or ownership of or otherwise regulate any firearm,  
10 ammunition, or component of any firearm or ammunition to a greater  
11 extent than state law.

12           (b) Any agent, employee, or person acting under the  
13 authority of any governmental entity that violates this subsection is  
14 guilty of a Class IV felony and shall be barred from holding any  
15 office of trust in this state or as a representative of this state to  
16 the government of the United States.

17           (3)(a) Any firearm, firearm accessory, or ammunition that  
18 exists in, is owned by, or is possessed by any individual or entity  
19 in this state is not subject to any federal enactment or federal  
20 enforcement action. The rights of an individual or entity relative to  
21 firearms, firearms accessories, or ammunition are not subject to any  
22 federal enactment or federal enforcement action in this state.

23           (b) No person shall knowingly enforce or attempt to  
24 enforce any federal enactment or to further or assist any federal  
25 enforcement action.

1                   (c) Any person violating subdivision (3)(b) of this  
2 section is guilty of a Class I misdemeanor for a first offense and a  
3 Class IV felony for a second or subsequent offense.

4                   Sec. 3. Original section 28-101, Revised Statutes  
5 Supplement, 2013, is repealed.