

LEGISLATIVE BILL 1095

Approved by the Governor March 27, 1984

Introduced by Pirsch, 10

AN ACT relating to crimes and punishments; to amend section 28-1202, Reissue Revised Statutes of Nebraska, 1943; to change a penalty as prescribed; and to repeal the original section.

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

Section 1. That section 28-1202, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

28-1202. (1) Except as provided in subsection (2) of this section, any person who carries a weapon or weapons concealed on or about his or her person such as a revolver, pistol, bowie knife, dirk or knife with a dirk blade attachment, brass or iron knuckles, or any other deadly weapon, commits the offense of carrying a concealed ~~weapons~~ weapon.

(2) It shall be an affirmative defense that the defendant was engaged in any lawful business, calling, or employment at the time he or she was carrying any weapon or weapons, and the circumstances in which such person was placed at the time were such as to justify a prudent person in carrying the weapon or weapons, for the defense of his or her person, property, or family.

(3) Carrying a concealed ~~weapons~~ weapon is a Class IV ~~felony~~ I misdemeanor.

(4) In the case of a second or subsequent conviction under this section, carrying a concealed weapon is a Class IV felony.

Sec. 2. That original section 28-1202, Reissue Revised Statutes of Nebraska, 1943, is repealed.