

## LEGISLATIVE BILL 772

Approved by the Governor March 28, 1986

Introduced by Chizek, 31; Beutler, 28; Hoagland, 6  
Conway, 17

AN ACT relating to civil disorders; to amend sections 55-176 and 55-177, Reissue Revised Statutes of Nebraska, 1943; to define terms; to prohibit certain activities involving firearms or explosive or incendiary devices as prescribed; to provide a penalty; to repeal the original sections; and to declare an emergency.

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

Section 1. As used in this act, unless the context otherwise requires:

(1) Civil disorder shall mean any public disturbance involving acts of violence which causes an immediate danger of or results in damage or injury to persons or property;

(2) Explosive or incendiary device shall mean (a) dynamite and all other forms of high explosives, (b) any explosive bomb, grenade, missile, or similar device, and (c) any incendiary bomb or grenade, firebomb, or similar device, including any device which (i) consists of or includes a breakable container including a flammable liquid or compound and a wick composed of any material which, when ignited, is capable of igniting such flammable liquid or compound and (ii) can be carried or thrown by one individual acting alone; and

(3) Firearm shall mean any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosive or the frame or receiver of any such weapon.

Sec. 2. That section 55-176, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

55-176- It shall not be lawful for unlawful within the boundaries of this state:

(1) For any person to teach or demonstrate to any other person the use, application, or making of any firearm or explosive or incendiary device capable of causing injury or death to persons when such person knows or has reason to know or intends that such information or ability will be unlawfully employed for use in or in furtherance of a civil disorder; or

(2) For any person to assemble with one or more persons for the purpose of training with, practicing with, or being instructed in the use of any firearm or explosive or incendiary device capable of causing injury or death to persons when such person intends to unlawfully employ such training, practice, or instruction for use in or in furtherance of a civil disorder. body of men whatever, other than the regularly organized Nebraska National Guard of the state and the troops of the United States, to associate themselves together as a military company or organization, or to drill or parade with arms within the limits of this state without the license of the Governor, which license may at any time be revoked; PROVIDED, students in educational institutions may, with the consent of the Governor, drill and parade with arms in public, and take part in any encampment under the command of their military instructor, and while so encamped shall be governed by the rules and regulations for the government of the National Guard, and shall be subjected to the orders of the commanding officers of such encampment. Nothing herein contained shall be construed to prevent benevolent or social organizations from wearing swords.

Sec. 3. That section 55-177, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

55-177. Whoever offends against the provisions of section 55-176 or belongs to or parades with any such unauthorized body of men with arms shall be guilty of a Class III misdemeanor. Any person violating section 2 of this act shall be guilty of a Class IV felony.

Sec. 4. That original sections 55-176 and 55-177, Reissue Revised Statutes of Nebraska, 1943, are repealed.

Sec. 5. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.