



Hundredth Legislature - Second Session - 2008  
**Introducer's Statement of Intent**  
**LB 934**

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**Chairperson:** Brad Ashford  
**Committee:** Judiciary  
**Date of Hearing:** January 25, 2008

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 934 inserts the word “knife” into the list of deadly weapons (Sec. 28-1206) that persons previously convicted of a felony cannot lawfully be in possession of. This bill was prompted by the Nebraska Supreme Court’s 2007 ruling in *State v. Gozzola* (273 Neb. 309). The *Gozzola* decision upheld an appellate court decision that invalidated the conviction of a Douglas County felon found to be in possession of a bowie knife. The Supreme Court based its decision on the absence of the term “knife” in statutory provisions prohibiting the possession of a deadly weapon by felons despite the presence of the term “knife” in the definition of “deadly weapons.”

The term “knife” is defined in statute (Sec. 28-1201) as “...any dagger, dirk, knife, or stiletto with a blade over the and one-half inches in length or any other dangerous instrument capable of inflicting cutting, stabbing, or tearing wounds.”

The possession of a “knife” by a felon would constitute a Class IV felony and be punishable by up to five years of imprisonment, up to a \$10,000 fine, or some combination of both.

**Principal Introducer:** \_\_\_\_\_  
**Senator Brad Ashford**