

# **One Hundred Third Legislature - Second Session - 2014**

## **Introducer's Statement of Intent**

### **LB1027**

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**Chairperson: Senator Brad Ashford**

**Committee: Judiciary**

**Date of Hearing: February 26, 2014**

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

Legislative Bill 1027 was introduced to provide further clarification and guidance pursuant to LB 538 which was amended into LB 807 and subsequently passed in 2011. LB 538, introduced by Senator Karpisek, changed provisions of law in section 29-820 subsection (1) (f) by providing a mechanism to restore seized firearms to their owners when lawfully permissible.

LB 1027 amends the same section of law to address the seizure of firearms when the owner, at the time of or subsequent to the law enforcement agency seizing or taking possession of his or her firearm, is in emergency protective custody or voluntary treatment or involuntary custody and treatment under the Nebraska Mental Health Commitment Act. If such circumstance exists, the firearm(s) would not be restored to the owner until release from such treatment and upon order of the district court, thus eliminating law enforcement from making such determination.

A proposed amendment to LB 1027 strikes the language "voluntary treatment" from the original bill.

**Principal Introducer:** \_\_\_\_\_

**Senator Russ Karpisek**