

ONE HUNDRED FIFTH LEGISLATURE - FIRST SESSION - 2017
COMMITTEE STATEMENT
LB558

Hearing Date: Wednesday March 01, 2017
Committee On: Judiciary
Introducer: Schumacher
One Liner: Define the term knife for certain provisions of the criminal code

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 8 Senators Baker, Chambers, Ebke, Halloran, Hansen, Krist, Morfeld,
Pansing Brooks

Nay:

Absent:

Present Not Voting:

Verbal Testimony:

Proponents:

Senator Paul Schumacher
Spike Eickholt

Representing:

Introducer
Nebraska Criminal Defense Attorneys Association

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 558 would change Nebraska Criminal Code Sec. 28-1202 to provide a more detailed definition of the term "knife". It would add language that requires the court to consider the intent of the party in possession of a weapon (in this case a knife, dagger, dirk or similar instrument) in weighing a charge of carrying a concealed weapon under Nebraska Criminal Code.

The added language reads "which in the manner it is used or intended to be used is capable of producing death or serious bodily injury" indicating that prosecutors would need to prove actual or intended use of a weapon to do harm, to classify it as a knife under this section. This has previously been the statutory standard for a classification as a knife under Sec. 28.1202 prior to 2009.

Laura Ebke, Chairperson