

Legislature - First Session - 2019

Introducer's Statement of Intent

LB58

Chairperson: Senator Steve Lathrop

Committee: Judiciary

Date of Hearing: February 28, 2019

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

LB 58 adopts the Extreme Risk Protection Order Act whose purpose is to allow a court to intervene in extreme cases where a person has demonstrated that they are a danger to themselves or others, have access to a firearm and have made threats of violence. An affidavit may be filed with the court by a family member, household member or law enforcement. If the court finds that a person poses a significant risk of injuring themselves or others with a firearm, that person could be temporarily prohibited from purchasing and possessing guns and required to turn over their guns while the order is in effect. Due process is followed, allowing the respondent the right to a timely hearing before the ERPO is made permanent. ERPO's are in effect for 12 months if not rescinded or renewed.

A person filing a false affidavit with court will be charged with a Class III misdemeanor.

Principal Introducer: _____

Senator Adam Morfeld