

AMENDMENTS TO LB1237

Introduced by Executive Board.

1 1. Strike the original sections and insert the following new
2 sections:

3 **Section 1.** Section 28-101, Revised Statutes Supplement, 2025, is
4 amended to read:

5 28-101 Sections 28-101 to 28-1357, 28-1601 to 28-1603, and 28-1701
6 and section 2 of this act shall be known and may be cited as the Nebraska
7 Criminal Code.

8 **Sec. 2.** (1) For purposes of this section the definitions in section
9 28-1201 and the following definitions apply;

10 (a) Prohibited substance means explosive, incendiary, or other
11 combustible devices; hazardous materials; or paint or spray paint; and

12 (b) Weapon means any firearm, knife, brass or iron knuckles, pepper
13 spray, taser, or stun gun.

14 (2) Except as provided in subsection (3) of this section, a person
15 shall not knowingly enter or attempt to enter the State Capitol while in
16 possession of a weapon or prohibited substance.

17 (3) This section does not apply to:

18 (a) A person who has received prior approval from the Nebraska State
19 Patrol;

20 (b) The possession of a weapon by a law enforcement officer, as
21 defined in section 81-1401, who is acting in the course of his or her
22 official duties;

23 (c) The carrying of a concealed handgun by a qualified law
24 enforcement officer or qualified retired law enforcement officer pursuant
25 to 18 U.S.C. 926B or 926C, respectively, as such sections existed on
26 January 1, 2026; or

27 (d) The carrying of a concealed handgun by an individual holding a

1 current and valid permit to carry a concealed handgun issued pursuant to
2 the Concealed Handgun Permit Act.

3 (4) A violation of this section is a Class III misdemeanor.

4 **Sec. 3.** Section 28-1202.01, Revised Statutes Cumulative Supplement,
5 2024, is amended to read:

6 28-1202.01 (1) Except as otherwise provided in this section and
7 section 28-1204.04, a person, other than a minor or a prohibited person,
8 may carry a concealed handgun anywhere in Nebraska, with or without a
9 permit under the Concealed Handgun Permit Act.

10 (2) Except as provided in subsection (10) of this section, a person
11 shall not carry a concealed handgun into or onto any place or premises
12 where the person, persons, entity, or entities in control of the place or
13 premises or employer in control of the place or premises has prohibited
14 the carrying of concealed handguns into or onto the place or premises.

15 (3) Except as provided in subsections subsection (10) and (11) of
16 this section, a person shall not carry a concealed handgun into or onto
17 any: Police, sheriff, or Nebraska State Patrol station or office;
18 detention facility, prison, or jail; courtroom or building which contains
19 a courtroom; polling place during a bona fide election; meeting of the
20 governing body of a county, public school district, municipality, or
21 other political subdivision; meeting of the Legislature or a committee of
22 the Legislature; financial institution; professional or semiprofessional
23 athletic event; building, grounds, vehicle, or sponsored activity or
24 athletic event of any school; place of worship; hospital, emergency room,
25 or trauma center; political rally or fundraiser; establishment having a
26 license issued under the Nebraska Liquor Control Act that derives over
27 one-half of its total income from the sale of alcoholic liquor; place
28 where the possession or carrying of a firearm is prohibited by state or
29 federal law; or any other place or premises where handguns are prohibited
30 by state law.

31 (4)(a) A financial institution may authorize its security personnel

1 to carry concealed handguns in the financial institution while on duty so
2 long as each member of the security personnel, as authorized, is not
3 otherwise prohibited by state law from possessing or carrying a concealed
4 handgun and is in compliance with sections 28-1202.02 to 28-1202.04.

5 (b) A place of worship may authorize its security personnel to carry
6 concealed handguns on its property if:

7 (i) Each member of the security personnel, as authorized, is not
8 otherwise prohibited by state law from possessing or carrying a concealed
9 handgun and is in compliance with sections 28-1202.02 to 28-1202.04;

10 (ii) Written notice is given to the congregation; and

11 (iii) For leased property, the carrying of concealed handguns on the
12 property does not violate the terms of any real property lease agreement
13 between the place of worship and the lessor.

14 (5) If a person, persons, entity, or entities in control of the
15 place or premises or an employer in control of the place or premises
16 prohibits the carrying of concealed handguns into or onto the place or
17 premises and such place or premises are open to the public, a person does
18 not violate this section unless the person, persons, entity, or entities
19 in control of the place or premises or employer in control of the place
20 or premises has posted conspicuous notice that carrying a concealed
21 handgun is prohibited in or on the place or premises or has made a
22 request, directly or through an authorized representative or management
23 personnel, that the person remove the concealed handgun from the place or
24 premises.

25 (6) A person carrying a concealed handgun in a vehicle or on his or
26 her person while riding in or on a vehicle into or onto any parking area,
27 which is open to the public, used by any location listed in subsection
28 (2) or (3) of this section, does not violate this section if, prior to
29 exiting the vehicle, the handgun is locked inside the glove box, trunk,
30 or other compartment of the vehicle, a storage box securely attached to
31 the vehicle, or, if the vehicle is a motorcycle, other than an autocycle,

1 a hardened compartment securely attached to the motorcycle. This
2 subsection does not apply to any parking area used by such location when
3 the carrying of a concealed handgun into or onto such parking area is
4 prohibited by federal law.

5 (7) An employer may prohibit employees or other persons from
6 carrying concealed handguns in vehicles owned by the employer.

7 (8) A violation of this section is a Class III misdemeanor for a
8 first offense and a Class I misdemeanor for any second or subsequent
9 offense.

10 (9)(a) Except as provided in subdivision (9)(b) of this section, it
11 is an affirmative defense to a violation of subsection (3) of this
12 section that the defendant was engaged in any lawful business, calling,
13 or employment at the time the defendant was carrying a concealed handgun
14 and the circumstances in which the defendant was placed at the time were
15 such as to justify a prudent person in carrying a concealed handgun for
16 the defense of his or her person, property, or family.

17 (b) The affirmative defense provided for in this subsection:

18 (i) Does not prevent a prosecution for a violation of section
19 28-1204.04; and

20 (ii) Is not available if the defendant refuses to remove the
21 concealed handgun from the place or premises after a person in control of
22 the place or premises has made a request, directly or through an
23 authorized representative or management personnel, that the defendant
24 remove the concealed handgun from the place or premises.

25 (10) Subsections (2) and (3) of this section do not apply to a
26 qualified law enforcement officer or qualified retired law enforcement
27 officer carrying a concealed handgun pursuant to 18 U.S.C. 926B or 926C,
28 respectively, as such sections existed on January 1, 2023.

29 (11) Subsection (3) of this section does not apply in the State
30 Capitol for an individual holding a current and valid permit to carry a
31 concealed handgun issued pursuant to the Concealed Handgun Permit Act.

1 (12) ~~(11)~~ Action taken in compliance with section 28-1204.04 shall
2 not be a violation of this section.

3 **Sec. 4.** Section 81-1108.15, Revised Statutes Supplement, 2025, is
4 amended to read:

5 81-1108.15 (1) Except as provided in the Nebraska State Capitol
6 Preservation and Restoration Act, the division shall have the primary
7 functions and responsibilities of statewide facilities planning,
8 facilities construction, and facilities administration and shall adopt
9 and promulgate rules and regulations to carry out this section.

10 (2) Facilities planning shall include the following responsibilities
11 and duties:

12 (a) To maintain utilization records of all state-owned, state-
13 occupied, and vacant facilities;

14 (b) To coordinate comprehensive capital facilities planning;

15 (c) To define and review program statements based on space
16 utilization standards;

17 (d) To prepare or review planning and construction documents;

18 (e) To develop and maintain time-cost schedules for capital
19 construction projects;

20 (f) To assist the Governor and the Legislative Fiscal Analyst in the
21 preparation of the capital construction budget recommendations;

22 (g) To maintain a complete inventory of all state-owned, state-
23 occupied, and vacant sites and structures and to review the proposals for
24 naming such sites and structures;

25 (h) To determine space needs of all state agencies and establish
26 space-allocation standards;

27 (i) To cause a state comprehensive capital facilities plan to be
28 developed; and

29 (j) To carry out the State Building Construction Alternatives Act.

30 (3) Facilities construction shall include the following powers and
31 duties:

1 (a) To maintain close contact with and conduct inspections of each
2 project so as to assure execution of time-cost schedules and efficient
3 contract performance if such project's total design and construction cost
4 is equal to or greater than the project cost set by subdivision (1)(a) of
5 section 81-1108.43 as adjusted by subsection (2) of section 81-1108.43;

6 (b) To perform final acceptance inspections and evaluations; and

7 (c) To coordinate all change or modification orders and progress
8 payment orders.

9 (4) Facilities administration shall include the following powers and
10 duties:

11 (a) To serve as state leasing administrator or agent for all
12 facilities to be leased for use by the state and for all state-owned
13 facilities to be rented to state agencies or other parties subject to
14 section 81-1108.22. The division shall remit the proceeds from any
15 rentals of state-owned facilities to the State Treasurer for credit to
16 the State Building Revolving Fund and the State Building Renewal
17 Assessment Fund;

18 (b) To provide all maintenance, repairs, custodial duties, security,
19 and administration for all buildings and grounds owned or leased by the
20 State of Nebraska except as provided in subsections (5) and (6) of this
21 section;

22 (c) To be responsible for adequate parking and the designation of
23 parking stalls or spaces, including access aisles, in offstreet parking
24 facilities for the exclusive use of handicapped or disabled or
25 temporarily handicapped or disabled persons pursuant to section 18-1737;

26 (d) To ensure that all state-owned, state-occupied, and vacant
27 facilities are maintained or utilized to their maximum capacity or to
28 dispose of such facilities through lease, sale, or demolition;

29 (e) To submit electronically a report regarding the amount of
30 property leased by the state and the availability of state-owned property
31 for the needs of state agencies, upon request by the Appropriations

1 Committee of the Legislature, the Committee on Building Maintenance, or a
2 member of the Legislature;

3 (f) To administer the State Emergency Capital Construction
4 Contingency Fund;

5 (g) To submit status reports to the Governor and the Legislative
6 Fiscal Analyst after each quarter of a construction project is completed
7 detailing change orders and expenditures to date. The report submitted to
8 the Legislative Fiscal Analyst shall be submitted electronically. Such
9 reports shall be required on all projects costing an amount equal to or
10 greater than the amount set forth in subdivision (1)(a) of section
11 81-1108.43 as adjusted by subsection (2) of section 81-1108.43 and on
12 such other projects as may be designated by the division; and

13 (h) To submit a final report on each project to the Governor and the
14 Legislative Fiscal Analyst. The report submitted to the Legislative
15 Fiscal Analyst shall be submitted electronically. Such report shall
16 include, but not be limited to, a comparison of final costs and
17 appropriations made for the project, change orders, and modifications and
18 whether the construction complied with the related approved program
19 statement. Such reports shall be required on all projects costing an
20 amount equal to or greater than the amount set forth in subdivision (1)
21 (a) of section 81-1108.43 as adjusted by subsection (2) of section
22 81-1108.43 and on such other projects as may be designated by the
23 division.

24 (5) Subdivisions (4)(b), (c), and (d) of this section shall not
25 apply to (a) state-owned facilities to be rented to state agencies or
26 other parties by the University of Nebraska, the Nebraska state colleges,
27 the Department of Transportation, and the Board of Educational Lands and
28 Funds, (b) buildings and grounds owned or leased for use by the
29 University of Nebraska, the Nebraska state colleges, and the Board of
30 Educational Lands and Funds, (c) buildings and grounds owned, leased, or
31 operated by the Department of Correctional Services, (d) facilities to be

1 leased for nonoffice use by the Department of Transportation, (e)
2 buildings or grounds owned or leased by the Game and Parks Commission if
3 the application of such subdivisions to the buildings or grounds would
4 result in ineligibility for or repayment of federal funding, (f)
5 buildings or grounds of the state park system, state recreation areas,
6 state historical parks, state wildlife management areas, or state
7 recreational trails, or (g) other buildings or grounds owned or leased by
8 the State of Nebraska which are specifically exempted by the division
9 because the application of such subdivisions would result in the
10 ineligibility for federal funding or would result in hardship on an
11 agency, board, or commission due to other exceptional or unusual
12 circumstances, except that nothing in this subdivision shall prohibit the
13 assessment of building rental depreciation charges to tenants of
14 facilities owned by the state and under the direct control and
15 maintenance of the division.

16 (6)(a) (6) Security for all buildings and grounds owned or leased by
17 the State of Nebraska in Lincoln, Nebraska, except the buildings and
18 grounds described in subsection (5) of this section, shall be the
19 responsibility of the Nebraska State Patrol. The Nebraska State Patrol
20 shall consult with the Governor, the Chief Justice, the Executive Board
21 of the Legislative Council, and the State Capitol Administrator regarding
22 security policy within the State Capitol and capitol grounds.

23 (b) Following consultation as provided for in subdivision (a) of
24 this subsection, the Nebraska State Patrol shall, no later than January
25 1, 2027, implement procedures to ensure the State Capitol is secure and
26 provide for the detection of weapons and prohibited substances as defined
27 in section 2 of this act to prevent such weapons and prohibited
28 substances from being brought into the State Capitol in violation of
29 section 2 of this act.

30 (7) Each member of the Legislature shall receive an electronic copy
31 of the reports required by subdivisions (4)(g) and (h) of this section by

1 making a request for them to the State Building Administrator. The
2 information on such reports shall be submitted to the division by the
3 agency responsible for the project.

4 **Sec. 5.** Original section 28-1202.01, Revised Statutes Cumulative
5 Supplement, 2024, and sections 28-101 and 81-1108.15, Revised Statutes
6 Supplement, 2025, are repealed.