DATE:            March 31, 1994
SUBJECT:         Firearms
REQUESTED BY:    Senator Stan Schellpeper
WRITTEN BY:     Don Stenberg, Attorney General
                 William L. Howland, Assistant Attorney General

Pursuant to a letter dated March 29, 1994, you have requested an opinion as to
whether amendment AM4092 to LB 988 would resolve the conflict presented by the language
in the earlier amendment AM5659 which we reviewed in our opinion dated March 23, 1994.

As we understand your request, it is your intent that the possession of short-barrelled
hand firearms by juveniles will still be permitted as currently authorized under subsection 2 of

Amendment 5659, which we reviewed in our letter dated March 23, makes illegal any
transfer of a firearm under section 4(1) of that amendment. Subsection 2 of section 4 of that
amendment, however, authorizes the transfer of long guns under permitted situations as set out
in subparagraphs a, b and c. The problem we identified in AM5659 was that subsection 3 of
section 4 of that amendment appeared to conflict with the current provisions of subsection 2
The new language which you have submitted contemporaneous with your request dated March 29, 1994, contained in AM4092 now recognizes the permitted possession authorized under § 28-1204(2). It would be our opinion, based on the language we have examined, that both long guns as well as short-barrelled hand firearms may be in the custody of a juvenile under those conditions spelled out in the respective sections.

Sincerely,

DON STENBERG
Attorney General

William L. Howland
Assistant Attorney General

APPROVED:

[Signature]
Attorney General

6-784-10.20