



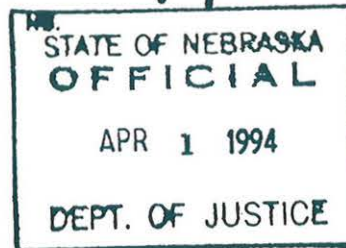
STATE OF NEBRASKA
Office of the Attorney General

2115 STATE CAPITOL BUILDING
 LINCOLN, NEBRASKA 68509-8920
 (402) 471-2682
 TDD (402) 471-2682
 CAPITOL FAX (402) 471-3297
 1235 K ST. FAX (402) 471-4725

DON STENBERG
 ATTORNEY GENERAL

L. STEVEN GRASZ
 SAM GRIMMINGER
 DEPUTY ATTORNEYS GENERAL

#94025



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 Neb. Rev. Stat. § 28-1204.

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 of Neb. Rev. Stat. § 28-1204.

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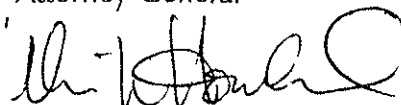
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Senator Stan Schellpeper
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The new language which you have submitted contemporaneous with your request dated March 29, 1994, contained in AM4092 now recognizes the permitted possession authorized under § 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:



Attorney General

6-784-10.20