



## **LB 68: Punishing Nebraska Cities and Enriching the Gun Lobby**

**Bottom Line:** LB 68 would revoke the ability of Nebraska cities and villages to pass common-sense public safety measures designed to keep their communities safe. The bill would line the pockets of the gun lobby, giving trial lawyers for the NRA and other out-of-state special interest groups the power to sue local governments for passing reasonable gun laws—and entitling them to an unjustly large payout at the taxpayers' expense.

- ❑ **LB 68 would prevent local governments from adopting common-sense public safety measures regarding firearms, and invalidate current laws.**
  - The bill would strip cities and villages of any ability to pass or enforce laws relating to the ownership, possession, carrying, transfer, or storage of firearms.
  - The bill would undermine existing public safety laws.
    - For example, Lincoln has laws prohibiting **convicted stalkers** from possessing guns,<sup>1</sup> and **prohibiting guns in domestic violence shelters** and drug treatment facilities.<sup>2</sup>
    - LB 68 would jeopardize both of these important laws.
  - New laws like LB 68 that block cities from passing common-sense gun laws are associated with increased rates of gun trafficking. States with laws like this export crime guns to other states at a rate more than four times greater than states that allow local control.<sup>3</sup>
  - LB 68 would prevent local mayors and police chiefs—the officials most familiar with local criminal activity and how to address it—from passing common-sense public safety measures tailored to local conditions.
- ❑ **LB 68 would allow trial attorneys for the NRA and other special interest groups to sue Nebraska cities and villages—and get large payouts at taxpayers' expense.**
  - The bill would give the NRA and other gun lobby organizations—including those based out-of-state—the right to sue local governments for enacting or attempting to enforce local gun laws.
  - LB 68 would make taxpayers pay the cost of the NRA's attorney's fees, court fees, and damages—simply for passing and enforcing laws designed to keep citizens safe.
  - Nebraska would become one of only a handful of states with punitive preemption laws that allow the gun lobby to take localities to court.
  - The gun lobby group Second Amendment Foundation has initiated litigation campaigns against cities it claims have violated preemption laws like LB 68—suing or threatening to sue hundreds of cities in states from Maryland to Virginia to Oregon and Washington.<sup>4</sup>

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<sup>1</sup> Lincoln Muni. Code 9.36.100(a).

<sup>2</sup> Lincoln Muni. Code 9.36.140(a).

<sup>3</sup> Mayors Against Illegal Guns, Trace the Guns: The Link Between Gun Laws and Interstate Gun Trafficking, Sept. 2010, at <http://www.tracetheguns.org/report.pdf>.

<sup>4</sup> Levintova, H. (2013, December 11). How a pro-gun group has been bullying small towns since Sandy Hook. *Mother Jones*. Retrieved from <http://bit.ly/1dfrary>.