ORDINANCE NO. _________________

AN ORDINANCE amending Title 9 of the Lincoln Municipal Code relating to the prohibition of devices which convert firearms to multiburst fire by amending Chapter 9.36 entitled “Weapons” by adding a new section numbered 9.36.035 entitled “Unlawful to Sell or Possess Multiburst Trigger Activators”, by amending section 9.36.150 entitled “Definitions” to add a definition for “Multiburst trigger activator”, and repealing Section 9.36.150 as hitherto existing.

WHEREAS, firearm accessories that allow multiburst trigger activation such as bump stocks, hellfire triggers, and rotating trigger actuators allow firearms to mimic fully automatic weapons and can dramatically increase the carnage during mass shooting events; and

WHEREAS, the deadliest mass shooting in American history occurred on October 1, 2017 in Las Vegas, Nevada, in which the shooter killed 58 innocent people and injured over 500 people. The firearms used in the massacre included those that were modified with bump stocks, making the weapons capable of firing approximately 400-800 rounds of ammunition per minute, as opposed to the 60-80 rounds per minute rate of a semi-automatic rifle without the accessory; and

WHEREAS, “bump stocks” and “trigger cranks” and similar devices are not firearms or firearm components, but rather separately purchased optional devices with the purpose and design of dramatically increasing the firing rate of an otherwise legal weapon to the firing speed and capability of unlawful weapons; and

WHEREAS, not only do these devices exponentially increase the lethality of the weapons, they are undesirable for any legitimate hunting or sporting purpose, as they severely
compromise accuracy and the ability to control a weapon; and

WHEREAS, neither bump stocks nor trigger cranks are gun components and, if they are
removed, firearms will remain operable in a manner and speed as originally designed by the
manufacturer; and

WHEREAS, the City Council has determined that amending the Lincoln Municipal Code
to prohibit firearm accessories that allow multiburst trigger activation promotes the public health,
safety, and welfare of the City’s residents; and

WHEREAS, the City Council has found that firearm accessories that allow multiburst
trigger activation are not currently regulated by Nebraska or the federal government and,
although the President of the United States has expressed support for prohibiting bump stock
devices, the likelihood of adoption of such legislation by Congress or the Nebraska legislature is
unclear.

BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

Section 1. That Chapter 9.36 of the Lincoln Municipal Code be amended by
adding a new section numbered 9.36.035 to read as follows:

9.36.035 Unlawful to Sell or Possess Multiburst Trigger Activators.

It shall be unlawful for any person to sell, give away, or furnish to another person any
device meeting the definition of multiburst trigger activator and it shall be unlawful for any
person to have in his or her possession, custody, or control any device defined as a multiburst
trigger activator within the corporate city limits of the City of Lincoln.

Section 2. That Section 9.36.150 of the Lincoln Municipal Code be amended to
read as follows:

9.36.150 Definitions.
For the purposes of Sections 9.36.035, 9.36.130, and 9.36.140 the following words shall have the following meanings:

**City and/or county facility** shall mean a building or part thereof owned or leased by the City of Lincoln Nebraska and/or Lancaster County or which is used as offices for any city and/or county employee.

**Dangerous weapon** shall mean any firearm, stun gun, knife, switchblade knife, any gun which releases any propelled object by spring mechanism, compressed air or compressed gas, or any other instrument the use of which is intended or likely to cause death or bodily injury;

**Knife** shall mean any dagger, dirk, knife, or stiletto with a blade over three and one-half inches in length or any other dangerous instrument capable of inflicting cutting, stabbing, or tearing wounds;

**Multiburst trigger activator** shall mean either: (a) a device designed or redesigned to be attached to a semiautomatic firearm which allows the firearm to discharge two or more shots in a burst by activating the device; or (b) a trigger-activating device, whether manual or power-driven, that is constructed and designed so that when such device is attached to a semiautomatic firearm the rate of fire of such firearm is increased.

**Stun gun** shall mean any handheld electronic device that is powered by an internal power source such as batteries, and that is capable of introducing an electrical current into the body of a person which when introduced to the body shall be capable of disrupting a person’s central nervous system and rendering the person temporarily incapable of normal functioning, for any period of time whatsoever. The electrical current may be introduced into the human body by means of direct pressure to the body from fixed electrodes on the electronic
device and/or by one or more electrodes attached to a length of wire or other connection and
which upon being fired from a firearm or any other mechanical device, strikes the human body
and produces the reaction described herein.

Section 3. That Section 9.36.150 of the Lincoln Municipal Code as hitherto existing
be and the same is hereby repealed.

Section 4. This ordinance shall be published, within fifteen days after the passage
hereof, in one issue of a daily or weekly newspaper of general circulation in the City, or posted
on the official bulletin board of the City, located on the wall across from the City Clerk’s office
at 555 S. 10th Street, in lieu and in place of the foregoing newspaper publication with notice of
passage and such posting to be given by publication one time in the official newspaper by the
City Clerk. This ordinance shall take effect and be in force from and after its passage and
publication or after its posting and notice of such posting given by publication as herein and in
the City Charter provided.

Introduced by:

____________________________________

Approved as to Form & Legality:  

Approved this ___ day of ____________, 2018:

_______________________________________________

City Attorney  

_______________________________________________

Mayor