

ORDINANCE NO. _____

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

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

10 WHEREAS, the deadliest mass shooting in American history occurred on October 1,
11 2017 in Las Vegas, Nevada, in which the shooter killed 58 innocent people and injured over 500
12 people. The firearms used in the massacre included those that were modified with bump stocks,
13 making the weapons capable of firing approximately 400-800 rounds of ammunition per minute,
14 as opposed to the 60-80 rounds per minute rate of a semi-automatic rifle without the accessory;
15 and

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

20 WHEREAS, not only do these devices exponentially increase the lethality of the
21 weapons, they are undesirable for any legitimate hunting or sporting purpose, as they severely

1 compromise accuracy and the ability to control a weapon; and

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

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

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

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

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

16 **9.36.035 Unlawful to Sell or Possess Multiburst Trigger Activators.**

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

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

23 **9.36.150 Definitions.**

1 | For the purposes of Sections [9.36.035](#), [9.36.130](#), and [9.36.140](#) the following words shall
2 | have the following meanings:

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

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

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

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

18 | **Stun gun** shall mean any handheld electronic device that is powered by an
19 | internal power source such as batteries, and that is capable of introducing an electrical current
20 | into the body of a person which ~~when introduced to the body~~ shall be capable of disrupting a
21 | person's central nervous system and rendering the person temporarily incapable of normal
22 | functioning, for any period of time whatsoever. The electrical current may be introduced into the
23 | human body by means of direct pressure to the body from fixed electrodes on the electronic

1 device and/or by one or more electrodes attached to a length of wire or other connection and
2 which upon being fired from a firearm or any other mechanical device, strikes the human body
3 and produces the reaction described herein.

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

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2018:

Mayor