



Hundredth Legislature - Second Session - 2008  
**Introducer's Statement of Intent**  
**LB 769**

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**Chairperson:** Brad Ashford  
**Committee:** Judiciary  
**Date of Hearing:** February 13, 2008

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 769 adds language to Statute 28-1008 which defines mutilation, repeated beating, torture and changes the definition of serious injury or illness.

Mutilation means intentionally causing permanent injury, disfigurement, degradation of function, incapacitation, or imperfection to an animal. Mutilation does not include conduct performed by a veterinarian licensed under the Nebraska Veterinary Practice Act or conduct that conforms to accepted veterinary practices.

Repeated beating means intentional successive strikes to an animal by a person resulting in serious bodily injury or death to the animal.

Torture means intentionally subjecting an animal to extreme pain, suffering, or agony. Torture does not include conduct performed by a veterinarian licensed under the Nebraska Veterinary Practice Act or conduct that conforms to accepted veterinary practices.

The serious injury and illness section would now include broken bones.

The intent of LB 769 is to add language which would exclude people convicted of a class IV felony, under section 28-1005 or 28-1009, from owning, possessing or residing with an animal for not less than fifteen years from the date of conviction. If a person violated this subdivision they would be guilty of a Class I misdemeanor.

It also adds language which would exclude a person convicted of a Class I misdemeanor, under subdivision 2(a) of section 28-1009 or a Class III misdemeanor under section 28-1010, from owning, possessing, or residing with an animal for not less than five years from the date of conviction. If a person violates this subdivision shall be guilty of a Class IV misdemeanor.

LB 769 would allow for the court to extend the time restrictions if they deem it reasonable and necessary, and would also allow for persons who need to possess an animal for the health of such a person. It also has exclusion for persons who may derive at least 20 percent of their annual income from the sale or resale of animals.

**Principal Introducer:** \_\_\_\_\_  
**Senator Abbie Cornett**