

AMENDMENTS TO LB 63

(Amendments to E & R amendments, ER8031)

Introduced by Pirsch, 4.

1 1. Insert the following new sections:

2 Sec. 6. Section 28-603, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 28-603 (1) Whoever, with intent to deceive or harm,
5 falsely makes, completes, endorses, alters, or utters any written
6 instrument which is or purports to be, or which is calculated to
7 become or to represent if completed, a written instrument which
8 does or may evidence, create, transfer, terminate, or otherwise
9 affect a legal right, interest, obligation, or status, commits
10 forgery in the second degree.

11 (2) Forgery in the second degree is a Class III felony
12 when the face value, or purported face value, or the amount of any
13 proceeds wrongfully procured or intended to be procured by the use
14 of such instrument, is one thousand dollars or more.

15 (3) Forgery in the second degree is a Class IV felony
16 when the face value, or purported face value, or the amount of any
17 proceeds wrongfully procured or intended to be procured by the use
18 of such instrument, exceeds three hundred dollars but is less than
19 one thousand dollars.

20 (4) Forgery in the second degree is a Class I misdemeanor
21 when the face value, or purported face value, or the amount of any
22 proceeds wrongfully procured or intended to be procured by the use

1 of such instrument, is three hundred dollars or less.

2 (5) For the purpose of determining the class of penalty
3 for forgery in the second degree, the face values, or purported
4 face values, or the amounts of any proceeds wrongfully procured
5 or intended to be procured by the use of more than one such
6 instrument, may be aggregated in the indictment or information if
7 such instruments were part of the same scheme or course of conduct
8 which took place within a sixty-day period and within one county.
9 Such values or amounts shall not be aggregated into more than one
10 offense.

11 Sec. 7. Section 28-604, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 28-604 (1) Whoever, with knowledge that it is forged and
14 with intent to deceive or harm, possesses any forged instrument
15 covered by section 28-602 or 28-603 commits criminal possession of
16 a forged instrument.

17 (2) Criminal possession of a forged instrument prohibited
18 by section 28-602 is a Class IV felony.

19 (3) Criminal possession of a forged instrument prohibited
20 by section 28-603, the amount or value of which is one thousand
21 dollars or more, is a Class IV felony.

22 (4) Criminal possession of a forged instrument prohibited
23 by section 28-603, the amount or value of which is more than three
24 hundred dollars but less than one thousand dollars, is a Class I
25 misdemeanor.

26 (5) Criminal possession of a forged instrument prohibited
27 by section 28-603, the amount or value of which is three hundred

1 dollars or less, is a Class II misdemeanor.

2 (6) For the purpose of determining the class of penalty
3 for criminal possession of a forged instrument prohibited by
4 section 28-603, the amounts or values of more than one such forged
5 instrument may be aggregated in the indictment or information if
6 such forced instruments were part of the same scheme or course of
7 conduct which took place within a sixty-day period and within one
8 county. Such amounts or values shall not be aggregated into more
9 than one offense.

10 2. On page 43, line 21, after the first comma insert
11 "28-603, 28-604,".

12 3. Renumber the remaining sections and correct internal
13 references accordingly.