

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 886**

Introduced by Stuthman, 22.

Read first time January 11, 2010

Committee: Judiciary

A BILL

1 FOR AN ACT relating to crimes and offenses; to amend sections  
2 28-1427 and 29-431, Reissue Revised Statutes of Nebraska;  
3 to change provisions relating to minors and tobacco  
4 as prescribed; to provide a penalty; to harmonize  
5 provisions; and to repeal the original sections.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 28-1427, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           28-1427 (1) Any person under the age of eighteen years  
4 who shall obtain cigars, tobacco, purchases or attempts to purchase  
5 cigarettes, or cigarette material, or other tobacco products from a  
6 licensee hereunder by representing that he or she is of the age of  
7 eighteen years or over, shall be guilty of a Class V misdemeanor.

8           (2) Any person under the age of eighteen years who  
9 smokes cigarettes or uses other tobacco products or has in his  
10 or her possession cigarettes, cigarette material, or other tobacco  
11 products shall be guilty of an infraction.

12           Sec. 2. Section 29-431, Reissue Revised Statutes of  
13 Nebraska, is amended to read:

14           29-431 As used in sections 28-416, 28-1427, 29-422,  
15 29-424, 29-425, and 29-431 to 29-434, and 29-436, unless the  
16 context otherwise requires, infraction shall mean the violation  
17 of any law, ordinance, order, rule, or regulation, not including  
18 those related to traffic, which is not otherwise declared to be  
19 a misdemeanor or a felony. Infraction shall include violations of  
20 section 60-6,267.

21           Sec. 3. Original sections 28-1427 and 29-431, Reissue  
22 Revised Statutes of Nebraska, are repealed.