



One Hundred First Legislature - First Session - 2009
Introducer's Statement of Intent
LB 76

Chairperson: Brad Ashford
Committee: Judiciary
Date of Hearing: January 21, 2009

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

Currently, Nebraska criminal law provides for a felony penalty for one who makes or possesses a forged check with a face value of \$300.00 or above, with intent to deceive. Nebraska criminal law provides for only a misdemeanor penalty for one who issues or possesses a forged check with a face value below \$300.00, with intent to deceive.

Offenders can defeat the spirit of the criminal statutes by writing multiple forged checks where each individual forged check is written for an amount just below the \$300.00 felony threshold level. Offenders can therefore issue and possess thousands and thousands of dollars of forged checks, and still only face misdemeanor charges.

LB 76 would allow prosecutors to aggregate the amounts on all forged checks issued or possessed by the same individual during the same scheme or course of conduct.

In allowing prosecutors to aggregate multiple forged checks issued or possessed during the same scheme or course of conduct, the forged check statutes would become uniform with the bad check statute. The bad check statute currently allows for multiple check aggregation.

Principal Introducer: _____
Senator Pete Pirsch