

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 1096**

Introduced by Ashford, 20; Council, 11.

Read first time January 18, 2012

Committee: Judiciary

A BILL

1 FOR AN ACT relating to crimes and offenses; to amend section 28-101,  
2 Revised Statutes Supplement, 2011; to prohibit entry into  
3 a motor vehicle without permission of the owner or for  
4 the purpose of committing a crime; to provide a penalty;  
5 to harmonize provisions; and to repeal the original  
6 section.

7 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 28-101, Revised Statutes Supplement,  
2   2011, is amended to read:

3                   28-101 Sections 28-101 to 28-1356 and section 2 of this  
4 act shall be known and may be cited as the Nebraska Criminal Code.

5                   Sec. 2. (1) No person shall enter into a motor vehicle  
6 without the permission of the owner for the purpose of committing any  
7 crime.

8                   (2) A violation of subsection (1) of this section shall  
9 be a Class II misdemeanor for a first offense, a Class I misdemeanor  
10 for a second offense, and a Class IV felony for third or subsequent  
11 offense.

12                   (3) The crime punishable under this section shall be  
13 treated as a separate and distinct offense from any other offense  
14 arising out of acts alleged to have been committed while the person  
15 was in violation of this section.

16                   Sec. 3. Original section 28-101, Revised Statutes  
17 Supplement, 2011, is repealed.