

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SECOND LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 552**

Introduced by Nordquist, 7; McGill, 26.

Read first time January 19, 2011

Committee: Judiciary

A BILL

1 FOR AN ACT relating to crimes and offenses; to amend section 28-101,  
2 Revised Statutes Cumulative Supplement, 2010; to prohibit  
3 impersonation by electronic means as prescribed; to  
4 provide civil and criminal penalties; to harmonize  
5 provisions; and to repeal the original section.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 28-101, Revised Statutes Cumulative  
2 Supplement, 2010, 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) Notwithstanding any other provision of law,  
6 any person who knowingly and without consent credibly impersonates  
7 another actual person through or on an Internet web site or by other  
8 electronic means for purposes of harming, intimidating, threatening,  
9 or defrauding another person is guilty of a Class I misdemeanor.

10           (2) For purposes of this section:

11           (a) An impersonation is credible if another person would  
12 reasonably believe, or did reasonably believe, that the defendant was  
13 or is the person who was impersonated; and

14           (b) Electronic means includes opening an email account or  
15 an account or profile on a social networking Internet web site in  
16 another person's name.

17           (3) In addition to any other civil remedy available, a  
18 person who suffers damage or loss by reason of a violation of this  
19 section may bring a civil action against the violator for  
20 compensatory damages and injunctive relief or other equitable relief.

21           (4) This section shall not preclude prosecution under any  
22 other law and shall be in addition to any other offense in which  
23 impersonation is an element of the offense.

24           Sec. 3. Original section 28-101, Revised Statutes  
25 Cumulative Supplement, 2010, is repealed.