

ONE HUNDRED FOURTH LEGISLATURE - SECOND SESSION - 2016
COMMITTEE STATEMENT
LB710

Hearing Date: Thursday February 04, 2016
Committee On: Judiciary
Introducer: Hughes
One Liner: Change provisions relating to hazing

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 8 Senators Chambers, Coash, Ebke, Krist, Morfeld, Pansing Brooks, Seiler, Williams
Nay:
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:

SEN. DAN HUGHES
VIRGINIA MOON
BOBBY TRUHE

Representing:

INTRODUCER
NCSA
KSB SCHOOL LAW

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB710 is a bill related to the criminal offense of "hazing".

Section 1 would amend 28-311.06 to update and add language to the definition of "hazing" and strike an unnecessary cross-reference.

The bill would add language to the definition of "hazing" to include acts described in the offense of public indecency (28-806). The bill would add the following language:

%u2026an act of sexual penetration, an exposure of the genitals of the body done with intent to affront or alarm any person, a lewd fondling or caressing of the body of another person%u2026

The bill would make no change to the penalties for hazing. Hazing is a Class II misdemeanor (0-6 months imprisonment, up to \$1,000 fine, or both), and may also include a fine of up to \$10,000 for an organization.

The bill would move the definition of the term "organization" into an operative section instead of a stand-alone definition; the bill would make no substantive change to the definition.

Section 2 would repeal the section amended by this bill.

Explanation of amendments:

The Committee amendment, AM1846, would add language to the definition of "hazing" to include coercing another person to commit an act of public indecency. The definition, as amended, would read:

For purposes of this section, hazing means any activity by which a person intentionally or recklessly endangers the physical or mental health or safety of an individual for the purpose of initiation into, admission into, affiliation with, or continued membership with any organization. Such hazing activity includes whipping, beating, branding, an act of sexual penetration, an exposure of the genitals of the body done with intent to affront or alarm any person, a lewd fondling or caressing of the body of another person, forced and prolonged calisthenics, prolonged exposure to the elements, forced consumption of any food, liquor, beverage, drug, or harmful substance not generally intended for human consumption, prolonged sleep deprivation, or any brutal treatment or the performance of any unlawful act which endangers the physical or mental health or safety of any person or the coercing of any such activity.

The amendment would also remove an unnecessary subdivision from subsection (2), and would add a severability clause.

Les Seiler, Chairperson