

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 710

FINAL READING

Introduced by Hughes, 44.

Read first time January 06, 2016

Committee: Judiciary

1 A BILL FOR AN ACT relating to crimes and offenses; to amend section
2 28-311.06, Reissue Revised Statutes of Nebraska; to change
3 provisions relating to hazing; to provide severability; and to
4 repeal the original section.

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

1 Section 1. Section 28-311.06, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 28-311.06 (1) For purposes of this section, hazing means and ~~section~~
4 ~~28-311.07:~~

5 ~~(a) Hazing shall mean~~ any activity by which a person intentionally or
6 recklessly endangers the physical or mental health or safety of an
7 individual for the purpose of initiation into, admission into,
8 affiliation with, or continued membership with any organization ~~as~~
9 ~~defined in subdivision (1)(b) of this section.~~ Such hazing activity
10 includes shall include whipping, beating, branding, an act of sexual
11 penetration, an exposure of the genitals of the body done with intent to
12 affront or alarm any person, a lewd fondling or caressing of the body of
13 another person, forced and prolonged calisthenics, prolonged exposure to
14 the elements, forced consumption of any food, liquor, beverage, drug, or
15 harmful substance not generally intended for human consumption, prolonged
16 sleep deprivation, or any brutal treatment or the performance of any
17 unlawful act which endangers the physical or mental health or safety of
18 any person or the coercing of any such activity. ~~;~~ and

19 ~~(b) Organization shall mean an organization of student members~~
20 ~~operating under the sanction of a postsecondary educational institution~~
21 ~~but shall not include the alumni organization or any corporation which~~
22 ~~owns the house or real estate of such organization.~~

23 (2) It is shall be unlawful to commit the offense of hazing. Any
24 person who commits the offense of hazing is shall be guilty of a Class II
25 misdemeanor.

26 (3) If the offense of hazing is committed for the purpose of
27 initiation into, admission into, affiliation with, or continued
28 membership with an organization of student members operating under the
29 sanction of a postsecondary educational institution and such offense is
30 committed by members of such organization, such organization Any
31 ~~organization as defined in subdivision (1)(b) of this section whose~~

1 ~~members commit the offense of hazing in violation of the provisions of~~
2 ~~this section~~ shall be punished by a fine of not more than ten thousand
3 dollars. Such organization shall not include the alumni organization or
4 any corporation which owns the house or real estate of such organization.

5 Sec. 2. If any section in this act or any part of any section is
6 declared invalid or unconstitutional, the declaration shall not affect
7 the validity or constitutionality of the remaining portions.

8 Sec. 3. Original section 28-311.06, Reissue Revised Statutes of
9 Nebraska, is repealed.