

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 104

Introduced by Friesen, 34.

Read first time January 07, 2021

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to crimes and offenses; to amend section
- 2 28-519, Reissue Revised Statutes of Nebraska; to provide for
- 3 aggregation of pecuniary losses for criminal mischief violations;
- 4 and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 28-519, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 28-519 (1) A person commits criminal mischief if he or she:

4 (a) Damages property of another intentionally or recklessly; or

5 (b) Intentionally tampers with property of another so as to endanger
6 person or property; or

7 (c) Intentionally or maliciously causes another to suffer pecuniary
8 loss by deception or threat.

9 (2) Criminal mischief is a Class IV felony if the actor
10 intentionally or maliciously causes pecuniary loss of five thousand
11 dollars or more, or a substantial interruption or impairment of public
12 communication, transportation, supply of water, gas, or power, or other
13 public service.

14 (3) Criminal mischief is a Class I misdemeanor if the actor
15 intentionally or maliciously causes pecuniary loss of one thousand five
16 hundred dollars or more but less than five thousand dollars.

17 (4) Criminal mischief is a Class II misdemeanor if the actor
18 intentionally or maliciously causes pecuniary loss of five hundred
19 dollars or more but less than one thousand five hundred dollars.

20 (5) Criminal mischief is a Class III misdemeanor if the actor
21 intentionally, maliciously, or recklessly causes pecuniary loss in an
22 amount of less than five hundred dollars, or if his or her action results
23 in no pecuniary loss.

24 (6) Pecuniary loss suffered by one or more persons pursuant to one
25 scheme or course of conduct may be aggregated in the indictment or
26 information in determining the classification of the offense, except that
27 amounts may not be aggregated into more than one offense.

28 Sec. 2. Original section 28-519, Reissue Revised Statutes of
29 Nebraska, is repealed.