

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 443**

Introduced by von Gillern, 4.

Read first time January 21, 2025

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to crimes and offenses; to amend section
- 2 28-101, Revised Statutes Cumulative Supplement, 2024; to provide for
- 3 the offense of unlawful squatting; to provide duties for law
- 4 enforcement officers; to provide a penalty; to harmonize provisions;
- 5 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 Supplement,  
2 2024, is amended to read:

3           28-101 Sections 28-101 to 28-1357, 28-1601 to 28-1603, and 28-1701  
4 and section 2 of this act shall be known and may be cited as the Nebraska  
5 Criminal Code.

6           **Sec. 2.** (1) A person commits the offense of unlawful squatting when  
7 such person:

8           (a) Enters upon the land or premises of another and resides on such  
9 land or premises for any period of time with the intent to claim  
10 ownership of such land or premises or otherwise appropriate the property  
11 of the rightful owner of such land or premises; and

12           (b) Knowingly enters upon such land or premises with such intent  
13 without the knowledge or consent of the owner or rightful occupant or an  
14 authorized representative of the owner or rightful occupant.

15           (2) If a law enforcement officer has probable cause to believe a  
16 person has committed unlawful squatting, the officer shall issue such  
17 person a warning citation. Conditions sufficient to establish probable  
18 cause shall include, but are not limited to:

19           (a) The presence of persons or personal property on the land or  
20 premises which show signs typical of abandonment or inoccupancy; or

21           (b) The construction of a shanty, tent, or other nonpermanent  
22 structure upon the land or premises.

23           (3) The warning citation shall advise the recipient that within  
24 three business days after receiving such warning citation, the recipient  
25 shall appear in person before a designee of the officer's law enforcement  
26 agency and present properly executed documentation authorizing the  
27 recipient to reside on such land or premises. Proper documentation  
28 includes, but is not limited to, a deed or title to the land or premises,  
29 a properly executed rental agreement or other agreement, or proof of  
30 rental payments. Original copies of proper documentation are not required  
31 and the recipient may satisfy this subsection by providing photographic

1 or electronic copies of such documentation.

2 (4) If such person fails to appear and provide documentation as  
3 provided in subsection (3) of this section or if such documentation is  
4 not authentic or does not authorize such residency, such person shall be  
5 subject to arrest for unlawful squatting and upon conviction shall be  
6 guilty of a Class I misdemeanor.

7 **Sec. 3.** Original section 28-101, Revised Statutes Cumulative  
8 Supplement, 2024, is repealed.