

ONE HUNDRED SEVENTH LEGISLATURE - SECOND SESSION - 2022
COMMITTEE STATEMENT
LB829

Hearing Date: Wednesday March 02, 2022
Committee On: Judiciary
Introducer: DeBoer
One Liner: Change provisions relating to offenses against animals

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 8 Senators Brandt, DeBoer, Geist, Lathrop, McKinney, Morfeld, Pansing
Brooks, Slama

Nay:

Absent:

Present Not Voting:

Oral Testimony:

Proponents:

Senator Wendy DeBoer
Nancy Hintz
Patrick McGee

Representing:

Introducer
Nebraska Humane Society
Douglas County Attorney, Nebraska Humane Society, &
Nebraska County Attorneys Association

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Section 28-1019 currently requires a court to prohibit a person convicted of a Class IV felony under Sec. 28-1005 (animal fighting) or Sec. 28-1009 (cruel mistreatment of animals) to own, possess, or reside with an animal for 5 to 15 years.

Section 28-1009 currently makes a person convicted of a Class IIIA felony under that section subject to Sec. 28-1019, but does not reference the Class IV felony. Under Sec. 28-1009, abandonment or cruel neglect of an animal resulting in serious injury or death is a Class IV felony. This section also creates a Class IIIA felony for second and subsequent offense cruel mistreatment of an animal, a Class IIIA felony for cruel mistreatment involving torture, and harassment of a police animal resulting in death. Section 1 would amend Sec. 28-1009 to make all the felonies subject to Sec. 28-1019.

Section 3 would amend Sec. 28-1019 to delete the limitation to Class IV felonies and make it apply to all felonies under Section 28-1005 and 28-1009. Section 28-1005 is not amended, but currently only creates Class IIIA felonies.

Section 2 would amend Sec. 28-1012.01 to extend the time for a county attorney to file an application for disposition of a seized animal from seven days to ten business days.

Steve Lathrop, Chairperson