

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 734

Introduced by Bostar, 29.

Read first time January 18, 2023

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 an
- 3 enhanced penalty for damage to certain infrastructure facilities
- 4 resulting in serious bodily injury or death; and to repeal the
- 5 original section.
- 6 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 II felony if the actor:

10 (a) Intentionally or maliciously causes a substantial interruption
11 or impairment of public communication, transportation, supply of water,
12 gas, or power, or other public service; and

13 (b) Such impairment or interruption is a significant contributing
14 factor in the death or serious bodily injury of any other person.

15 (3) (2) Criminal mischief is a Class IV felony if the actor
16 intentionally or maliciously causes pecuniary loss of five thousand
17 dollars or more, or a substantial interruption or impairment of public
18 communication, transportation, supply of water, gas, or power, or other
19 public service.

20 (4) (3) Criminal mischief is a Class I misdemeanor if the actor
21 intentionally or maliciously causes pecuniary loss of one thousand five
22 hundred dollars or more but less than five thousand dollars.

23 (5) (4) Criminal mischief is a Class II misdemeanor if the actor
24 intentionally or maliciously causes pecuniary loss of five hundred
25 dollars or more but less than one thousand five hundred dollars.

26 (6) (5) Criminal mischief is a Class III misdemeanor if the actor
27 intentionally, maliciously, or recklessly causes pecuniary loss in an
28 amount of less than five hundred dollars, or if his or her action results
29 in no pecuniary loss.

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31 Nebraska, is repealed.