

## LEGISLATIVE BILL 92

Approved by the Governor February 28, 1995

Introduced by Bromm, 23

AN ACT relating to utility services; to amend sections 86-329 and 86-331, Reissue Revised Statutes of Nebraska; to provide a penalty for unauthorized reconnections; to change provisions relating to prima facie evidence of guilt; and to repeal the original sections.  
Be it enacted by the people of the State of Nebraska,

Section 1. Section 86-329, Reissue Revised Statutes of Nebraska, is amended to read:

86-329. (1) Any person who connects any instrument, device, or contrivance with any wire supplying or intended to supply electricity or electric current, or connects any pipe or conduit supplying gas or water, without the knowledge and consent of the supplier of such products, in such manner that any portion thereof may be supplied to any instrument by or at which electricity, electric current, gas, or water may be consumed without passing through the meter provided for measuring or registering the amount or quantity thereof passing through it, and any person who knowingly uses or knowingly permits the use of electricity, electric current, gas, or water obtained in the above-mentioned unauthorized ways, shall be deemed guilty of a Class III misdemeanor.

(2) When electrical, gas, or water service has been disconnected pursuant to sections 70-1601 to 70-1615, any person who reconnects such service without the knowledge and consent of the supplier of such service shall be deemed guilty of a Class III misdemeanor.

Sec. 2. Section 86-331, Reissue Revised Statutes of Nebraska, is amended to read:

86-331. Proof of the existence of any wire, pipe, or conduit connection, or reconnection or of any injury, alteration, or obstruction of a meter, as provided in sections 86-329 and 86-330, shall be taken as prima facie evidence of the guilt of the person in possession of the premises where such connection, reconnection, injury, alteration, or obstruction is proved to exist.

Sec. 3. Original sections 86-329 and 86-331, Reissue Revised Statutes of Nebraska, are repealed.