

## LEGISLATIVE BILL 136

Approved by the Governor February 24, 2016

Introduced by Johnson, 23; Coash, 27; Davis, 43.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Revised Statutes Supplement, 2015; to prohibit flying lanterns; to harmonize provisions; to repeal the original section; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 28-101, Revised Statutes Supplement, 2015, is amended to read:

28-101 Sections 28-101 to 28-468, 28-470 to 28-1357, 28-1418.01, and 28-1429.03 and section 2 of this act shall be known and may be cited as the Nebraska Criminal Code.

Sec. 2. (1) Flying lantern-type devices are prohibited from sale, possession, and use in this state.

(2) For purposes of this section, flying lantern-type devices means devices that require a flame which produces heated air trapped in a balloon-type covering allowing the device to float in the air. Flying lantern-type devices shall not include hot-air balloons used for transporting persons.

(3) A violation of this section is a Class V misdemeanor.

Sec. 3. Original section 28-101, Revised Statutes Supplement, 2015, is repealed.

Sec. 4. Since an emergency exists, this act takes effect when passed and approved according to law.