

## LEGISLATIVE BILL 1018

Approved by the Governor April 7, 1990

Introduced by Abboud, 12; Beck, 8; Ashford, 6

AN ACT relating to crimes and punishment; to amend section 28-101, Reissue Revised Statutes of Nebraska, 1943; to make it unlawful to discharge firearms at certain buildings, motor vehicles, and aircraft; to define terms; to provide a penalty; and to repeal the original section.

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

Section 1. That section 28-101, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

28-101. Sections 28-101 to 28-1348 and sections 2 and 3 of this act shall be known as the Nebraska Criminal Code.

Sec. 2. Any person who intentionally discharges a firearm at and strikes with a projectile an inhabited dwelling house, occupied building, occupied motor vehicle, occupied aircraft, inhabited motor home as defined in section 71-4603, or inhabited camper unit as defined in section 60-1801 shall be guilty of a Class IV felony.

Sec. 3. For purposes of section 2 of this act:

(1) Aircraft shall mean any contrivance intended for and capable of transporting persons through the airspace;

(2) Inhabited shall mean currently being used for dwelling purposes and occupied; and

(3) Occupied shall mean that a person is physically present in a building, motor vehicle, or aircraft.

Sec. 4. That original section 28-101, Reissue Revised Statutes of Nebraska, 1943, is repealed.