



**Ninety-Ninth Legislature - Second Session - 2006**  
**Committee Statement**  
**LB 885**

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**Hearing Date:** January 25, 2006  
**Committee On:** Judiciary

**Introducer(s):** (Fischer)

**Title:** Change provisions relating to impoundment of animals in conjunction with certain crimes

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**Roll Call Vote – Final Committee Action:**

- Advanced to General File
  - Advanced to General File with Amendments
  - X Indefinitely Postponed
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**Vote Results:**

- |   |                     |  |
|---|---------------------|--|
| 6 | Yes                 | Senators Aguilar, Chambers, Combs, Foley, Friend, Pedersen |
|   | No                  |  |
| 2 | Present, not voting | Senators Bourne, Flood                                     |
|   | Absent              |  |
- 

**Proponents:**

Sen. Deb Fischer  
Clem Disterhaupt  
Amy Lambrecht  
Casey Schaaf  
Billy Estes  
Phil Vanbibber  
Michelle Root  
Betty Disterhaupt  
Angela Schaaf  
Laure Braun  
Crystal Osborne  
Jeff Lambrecht  
Geri Wiepen

**Representing:**

Introducer  
Nebraska Dog Breeders Association  
Nebraska Dog Breeders Association  
Nebraska Dog Breeders Association  
Nebraska Dog Breeders Association  
Nebraska Dog Breeders Association  
Nebraska Dog Breeders Association  
Self  
Nebraska Dog Breeders Association  
Self  
Nebraska Dog Breeders Association  
Nebraska Dog Breeders Association  
Nebraska Dog Breeders Association

**Opponents:**

Robert Downey  
Judy Varner  
Greg Ariza  
Carol Wheeler  
Vickie O'Hara

**Representing:**

Capitol Humane Society  
Capitol Humane Society  
self  
Hearts United for Animals  
Paws Up Certified Therapy Dogs Inc.

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Traci Cameron	self
Judy Hoch	Heartland Pet Connection
Scott Besch	self
David Whiteside	self
Diana Vogt	self

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

Legislative Bill 885 proposes to amend the statutes relating to the impoundment and disposition of abandoned, neglected or mistreated animals as follows:

1. Prohibit the impoundment of a neglected, abandoned or abused animal by law enforcement unless the animal's life is in danger;
2. Require that any animal which is impounded due to suspicion of animal abandonment, neglect or mistreatment be examined by a licensed veterinarian within 12 hours. If the veterinarian does not find probable cause of neglect, abandonment or mistreatment the animal shall be returned to the owner immediately;
3. Provides for an appeal to the county court when an animal is impounded on suspicion of abandonment, mistreatment or neglect. If the court finds insufficient evidence to convict the owner of animal abandonment, neglect or mistreatment pursuant to 28-1009 the animal shall be returned, and the state or local law enforcement agency shall pay the owner's legal fees, courts costs and expenses for the impoundment and care of the animal;
4. Provides that a citation for animal abandonment, neglect, or mistreatment shall provide the recipient 5 days to correct the violation;
5. Prohibits the sale, transfer, or offering for adoption of an animal impounded on suspicion of animal abandonment, neglect or mistreatment until after the conviction under 28-4009 is final;
6. Requires a court to prohibit a party purchasing or adopting an impounded animal from selling the animal for a period of one year.

**Explanation of amendments, if any:**

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**Senator Patrick J. Bourne, Chairperson**