

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 892

Introduced by Kintner, 2; Bloomfield, 17; Brasch, 16; Campbell, 25;
Coash, 27; Cook, 13; Crawford, 45; Davis, 43; Friesen, 34;
Garrett, 3; Gloor, 35; Groene, 42; Haar, 21; Hansen, 26;
Harr, 8; Howard, 9; Hughes, 44; Johnson, 23; Kolowski, 31;
Kuehn, 38; Lindstrom, 18; McCollister, 20; Morfeld, 46;
Murante, 49; Pansing Brooks, 28; Scheer, 19; Stinner, 48;
Williams, 36.

Read first time January 11, 2016

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to crimes and offenses; to amend section
- 2 28-1310, Reissue Revised Statutes of Nebraska; to change provisions
- 3 relating to intimidation by telephone call; and to repeal the
- 4 original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 28-1310, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 28-1310 (1) A person commits the offense of intimidation by
4 telephone call or electronic communication device if, with intent to
5 terrify, intimidate, threaten, harass, annoy, or offend, the person:

6 (a) Telephones or contacts by electronic communication device
7 another anonymously, whether or not conversation or an electronic
8 response ensues, and disturbs the peace, quiet, and right of privacy of
9 any person at the place where the calls are received; or

10 (b) Telephones or contacts by electronic communication device
11 another and uses indecent, lewd, lascivious, or obscene language or
12 suggests any indecent, lewd, or lascivious act; or

13 (c) Telephones or contacts by electronic communication device
14 another and threatens to inflict injury to any person or to the property
15 of any person; or

16 (d) Intentionally fails to disengage the connection; or

17 (e) Telephones or contacts by electronic communication device
18 another and attempts to extort money or other thing of value from any
19 person.

20 (2) The use of indecent, lewd, or obscene language or the making of
21 a threat or lewd suggestion shall be prima facie evidence of intent to
22 terrify, intimidate, threaten, harass, annoy, or offend.

23 (3) The offense shall be deemed to have been committed either at the
24 place where the call or electronic contact was made or where it was
25 received.

26 (4) Intimidation by telephone call or electronic communication
27 device is a Class III misdemeanor.

28 (5) For purposes of this section, electronic communication device
29 means any device which, in its ordinary and intended use, transmits by
30 electronic means writings, sounds, visual images, or data of any nature
31 to another electronic communication device.

1 Sec. 2. Original section 28-1310, Reissue Revised Statutes of
2 Nebraska, is repealed.