

**ONE HUNDRED FIFTH LEGISLATURE - SECOND SESSION - 2018**  
**COMMITTEE STATEMENT**  
**LB773**

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**Hearing Date:** Wednesday February 07, 2018  
**Committee On:** Judiciary  
**Introducer:** Clements  
**One Liner:** Change intimidation by telephone call provisions and prohibit intimidation by electronic message

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

<b>Aye:</b>	7	Senators Baker, Chambers, Ebke, Hansen, Krist, Morfeld, Pansing Brooks
<b>Nay:</b>		
<b>Absent:</b>	1	Senator Halloran
<b>Present Not Voting:</b>		

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**Verbal Testimony:**

**Proponents:**

Senator Rob Clements  
Ben Perlman  
Ryan Crick

**Representing:**

Introducer  
Nebraska County Attorneys Association  
Plattsmouth Police Department

**Opponents:**

**Representing:**

**Neutral:**

Spike Eickholt

**Representing:**

Nebraska Criminal Defense Attorneys Association

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

This bill would update the statute defining the criminal offense of "intimidation by telephone call" to become "intimidation by telephone call or electronic message." It amends the current statute to insert references to electronic messages next to the existing references to telephone calls. This bill also eliminates vague language in the existing statute referring to "indecent, lewd, or lascivious" language or conduct. "Electronic message: This bill would update the statute defining the criminal offense of "intimidation by telephone call" to become "intimidation by telephone call or electronic message." It amends the current statute to insert references to electronic messages next to the existing references to telephone calls. This bill also eliminates vague language in the existing statute referring to "indecent, lewd, or lascivious" language or conduct. "Electronic message" is defined in the bill so as to include text messages, email messages or other communications ordinarily received by electronic communications devices." is defined in the bill so as to include text messages, email messages or other communications ordinarily received by electronic communications devices.

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**Explanation of amendments:**

The amendment replaces the term "electronic message" with the more inclusive "electronic communication," which is defined so as to include "any writing, sound, visual image, or data of any nature that is received or transmitted by an electronic communication device."

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The amendment also adds a requirement that the call or communication "causes significant distress to the individual," and removes reference in statute to telephoning another "anonymously."

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Laura Ebke, Chairperson