

LEGISLATIVE BILL 448

Approved by the Governor March 18, 1986

Introduced by Hoagland, 6

AN ACT relating to the Protection from Domestic Abuse Act; to amend section 42-903, Reissue Revised Statutes of Nebraska, 1943; to redefine terms; to repeal the original section; and to declare an emergency.

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

Section 1. That section 42-903, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

42-903. As used in ~~sections 42-901 to 42-927~~ the Protection from Domestic Abuse Act, unless the context otherwise requires:

(1) Abuse shall mean the occurrence of one or more of the following acts between ~~spouses, persons living as spouses, or adult members of the same household members~~:

(a) Attempting to cause or intentionally, knowingly, or recklessly causing bodily injury or serious bodily injury with or without a deadly weapon; or

(b) Placing, by physical menace, another in fear of imminent serious bodily injury;

(2) Department shall mean the Department of Social Services;

(3) Family or household members shall include ~~shall mean spouses, persons living as spouses, and children;~~

~~(4) Household members shall mean persons related to a person subjected to domestic abuse by blood or marriage spouses or former spouses, children, persons who are presently residing together or who have resided together in the past, persons who have a child in common whether or not they have been married or have lived together at any time, and other persons related by consanguinity or affinity; and~~

~~(4) (5) Law enforcement agency shall mean the police department or town marshal in incorporated municipalities and the office of the sheriff in unincorporated areas.~~

Sec. 2. That original section 42-903, Reissue Revised Statutes of Nebraska, 1943, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.