

LEGISLATIVE BILL 908

Approved by the Governor April 4, 1994

Introduced by Day, 19; Ashford, 6; Avery, 3; Bromm, 23; Crosby, 29; Dierks, 40; Engel, 17; Haberman, 44; Hillman, 48; Hudkins, 21; Janssen, 15; Jones, 43; Lynch, 13; McKenzie, 34; Monen, 4; Pedersen, 39; Preister, 5; Rasmussen, 20; Robak, 22; Schellpeper, 18; Schimek, 27; Schmitt, 41; Vrtiska, 1; Wehrbein, 2; Wickersham, 49; Will, 8; Abboud, 12

AN ACT relating to crimes and offenses; to amend section 28-707, Revised Statutes Supplement, 1993; to change penalties relating to child abuse; and to repeal the original section.
Be it enacted by the people of the State of Nebraska,

Section 1. That section 28-707, Revised Statutes Supplement, 1993, be amended to read as follows:

28-707. (1) A person commits child abuse if he or she knowingly, intentionally, or negligently causes or permits a minor child to be:

(a) Placed in a situation that endangers his or her life or health;
or

(b) Cruelly confined or cruelly punished; or
(c) Deprived of necessary food, clothing, shelter, or care.

(2) The statutory privilege between patient and physician, between client and professional counselor, and between husband and wife shall not be available for excluding or refusing testimony in any prosecution for a violation of this section.

(3) Child abuse is a Class I misdemeanor if the offense is committed negligently.

(4) Child abuse is a Class IV felony if the offense is committed knowingly and intentionally and does not result in serious bodily injury as defined in section 28-109.

(5) Child abuse is a Class III felony if the offense is committed knowingly and intentionally and results in serious bodily injury as defined in such section.

(6) Child abuse is a Class IB felony if the offense is committed knowingly and intentionally and results in the death of such child.

Sec. 2. That original section 28-707, Revised Statutes Supplement, 1993, is repealed.