

LEGISLATURE OF NEBRASKA
NINETY-EIGHTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 206

Introduced by Kruse, 13; Burling, 33; Engel, 17; Friend, 10;
Louden, 49; Mossey, 3

Read first time January 10, 2003

Committee: Judiciary

A BILL

1 FOR AN ACT relating to crimes and offenses; to amend section
2 28-518, Reissue Revised Statutes of Nebraska; to change
3 provisions relating to theft; to change penalties; and to
4 repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 28-518, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 28-518. (1) Theft constitutes a Class III felony when
4 the value of the thing involved is over one thousand five hundred
5 dollars.

6 (2) Theft constitutes a Class IV felony when the value of
7 the thing involved is five hundred dollars or more, but not over
8 one thousand five hundred dollars.

9 (3) Theft constitutes a Class I misdemeanor when the
10 value of the thing involved is more than two hundred dollars, but
11 less than five hundred dollars, or when the thing involved,
12 regardless of value, was taken from a propelled vehicle as that
13 term is defined in section 28-516.

14 (4) ~~Theft~~ Except as provided in subsection (3) of this
15 section, theft constitutes a Class II misdemeanor when the value of
16 the thing involved is two hundred dollars or less.

17 (5) For any second or subsequent conviction under
18 subsection (3) of this section, any person so offending shall be
19 guilty of a Class IV felony.

20 (6) For any second conviction under subsection (4) of
21 this section, any person so offending shall be guilty of a Class I
22 misdemeanor, and for any third or subsequent conviction under
23 subsection (4) of this section, the person so offending shall be
24 guilty of a Class IV felony.

25 (7) Amounts taken pursuant to one scheme or course of
26 conduct from one person may be aggregated in the indictment or
27 information in determining the classification of the offense,
28 except that amounts may not be aggregated into more than one

1 offense.

2 (8) In any prosecution for theft under sections 28-509 to
3 28-518, value shall be an essential element of the offense that
4 must be proved beyond a reasonable doubt.

5 Sec. 2. Original section 28-518, Reissue Revised
6 Statutes of Nebraska, is repealed.