

AMENDMENTS TO LB484

Introduced by Cavanaugh, J., 9.

1 1. Strike the original sections and insert the following new
2 sections:

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

5 28-518 (1) Theft constitutes a Class IIA felony when the value of
6 the thing involved is ten ~~five~~ thousand dollars or more.

7 (2) Theft constitutes a Class III felony when the value of the thing
8 involved is five thousand dollars or more but less than ten thousand
9 dollars.

10 (3) ~~(2)~~ Theft constitutes a Class IV felony when the value of the
11 thing involved is one thousand five hundred dollars or more but less than
12 five thousand dollars.

13 (4) ~~(3)~~ Theft constitutes a Class I misdemeanor when the value of
14 the thing involved is more than five hundred dollars but less than one
15 thousand five hundred dollars.

16 (5) ~~(4)~~ Theft constitutes a Class II misdemeanor when the value of
17 the thing involved is five hundred dollars or less.

18 (6) ~~(5)~~ For any second or subsequent conviction under subsection (4)
19 ~~(3)~~ of this section, any person so offending shall be guilty of a Class
20 IV felony.

21 (7) ~~(6)~~ For any second conviction under subsection (5) ~~(4)~~ of this
22 section, any person so offending shall be guilty of a Class I
23 misdemeanor, and for any third or subsequent conviction under subsection
24 (5) ~~(4)~~ of this section, the person so offending shall be guilty of a
25 Class IV felony.

26 (8) ~~(7)~~ Amounts taken pursuant to one scheme or course of conduct
27 from one or more persons may be aggregated in the indictment or

1 information in determining the classification of the offense, except that
2 amounts may not be aggregated into more than one offense.

3 (9) ~~(8)~~ In any prosecution for theft under sections 28-509 to
4 28-518, value shall be an essential element of the offense that must be
5 proved beyond a reasonable doubt.

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7 Nebraska, is repealed.