

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 109**

Introduced by Pansing Brooks, 28; Hunt, 8; Vargas, 7; Wayne, 13.

Read first time January 07, 2021

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to crimes and offenses; to amend section
- 2 28-906, Reissue Revised Statutes of Nebraska; to change provisions
- 3 relating to obstruction of a peace officer; and to repeal the
- 4 original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 28-906, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 28-906 (1) A person commits the offense of obstructing a peace  
4 officer, when, by using or threatening to use violence, force, physical  
5 interference, or obstacle, he or she intentionally obstructs, impairs, or  
6 hinders (a) the enforcement of the penal law or the preservation of the  
7 peace by a peace officer or judge acting under color of his or her  
8 official authority or (b) a police animal assisting a peace officer  
9 acting pursuant to the peace officer's official authority.

10 (2) A person does not violate this section by taking a photograph or  
11 making an audio or a video recording of a peace officer while the peace  
12 officer is acting under color of such peace officer's official authority  
13 if the person taking the photograph or making the recording is in a  
14 public place or in a place the person has the right to be.

15 (3) (2) For purposes of this section, police animal means a horse or  
16 dog owned or controlled by the State of Nebraska or any county, city, or  
17 village for the purpose of assisting a peace officer acting pursuant to  
18 his or her official authority.

19 (4) (3) Obstructing a peace officer is a Class I misdemeanor.

20 Sec. 2. Original section 28-906, Reissue Revised Statutes of  
21 Nebraska, is repealed.