

LEGISLATIVE BILL 89

Approved by the Governor March 25, 1985

Introduced by Marsh, 29; Lundy, 36

AN ACT relating to crimes and punishments; to amend section 28-703, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to incest; 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 28-703, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:
28-703. (1) Any person who shall knowingly intermarry or engage in sexual penetration intercourse with any person who falls within the degrees of consanguinity set forth in section 28-702 or any person who engages in sexual penetration with his or her minor stepchild commits incest.

~~(2) A person shall not be convicted of incest or an attempt to commit incest upon the uncorroborated testimony of the person with whom the offense is alleged to have been committed.~~

~~(3) (2) Incest is a Class III felony.~~

(3)(a) For purposes of this section, the definitions found in section 28-318 shall be used.

(b) The testimony of a victim shall be entitled to the same weight as the testimony of victims of other crimes under this code.

Sec. 2. That original section 28-703, Reissue Revised Statutes of Nebraska, 1943, is repealed.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.