

projectile at an inhabited dwelling." So you have to be firing at the inhabited dwelling or at the occupied house.

SENATOR BERNARD-STEVENS: Okay, let me pursue that just a little bit further for my own mind, which is not a legal mind, obviously. So if any person drives by a house now, and shoots a weapon at a house and the projectile hits the house, what you're still saying is that under the bill you're going to have to prove an intent that he was actually shooting at the house.

SENATOR ABBOUD: Yes.

SENATOR BERNARD-STEVENS: I could say that I was shooting at the air and I missed what I was shooting at and hit the house, and unless you actually saw that, you'd have to prove the intent was deliberate.

SENATOR ABBOUD: Yes.

SENATOR BERNARD-STEVENS: Okay now, this is where you can help me. In cases that you're talking about in Omaha, and really they could happen anywhere, but in cases in Omaha, how easy is it to show and to prove in court that intent?

SENATOR ABBOUD: It is going to be difficult.

SENATOR BERNARD-STEVENS: Okay, now, if it's very, very difficult to do, is the county attorneys in the counties that we have, are they going to pursue the numbers of litigations that they could do under this bill, knowing that it would be very, very difficult?

SENATOR ABBOUD: Well, it's going to be difficult, I would say that in this instance, the only time they will have filings is where they have an eye witness, where they see an individual take a weapon and fire...(interruption)

SENATOR BERNARD-STEVENS: Right, and they'll be able to prove intent. Okay, now, if I, on the law that it is today, if I can prove that the intent was to hit the house of which I was a part of, is it also then quite possible for the county attorney or whomever is pressing the charge, if I know the intent was...

SPEAKER BARRETT: One minute.