



## Nebraska Revised Statute 28-1006

Revised Statutes Chapter 28 28-1006

<a href="#">Print Friendly</a>
<a href="#">28-1005.01</a>
<a href="#">Chapter 28 Index</a>
<a href="#">28-1007</a>

### Chapter 28 Section 1006

#### 28-1006.

Investigation; arrest; seizure of property; reimbursement of expenses.

(1) It shall be the duty of the sheriff, a police officer, or the Nebraska State Patrol to make prompt investigation of and arrest for any violation of section [28-1005](#) or [28-1005.01](#).

(2) Any equipment, device, or other property or things involved in any violation of section [28-1005](#) or [28-1005.01](#) shall be subject to seizure, and disposition may be made in accordance with the method of disposition directed for contraband in sections [29-818](#) and [29-820](#).

(3) Any animal involved in any violation of section [28-1005](#) or [28-1005.01](#) shall be subject to seizure. Distribution or disposition shall be made as provided in section [28-1012.01](#) and in such manner as the court may direct. The court may give preference to adoption alternatives through humane societies or comparable institutions and to the protection of such animal's welfare. For a humane society or comparable institution to be considered as an adoption alternative under this subsection, it must first be licensed by the Department of Agriculture as having passed the inspection requirements in the Commercial Dog and Cat Operator Inspection Act and paid the fee for inspection under the act. The court may prohibit an adopting or purchasing party from selling such animal for a period not to exceed one year.

(4) In addition to any other sentence given for a violation of section [28-1005](#) or [28-1005.01](#), the sentencing court may order the defendant to reimburse a public or private agency for expenses incurred in conjunction with the care, impoundment, or disposal, including adoption, of an animal involved in the violation of section [28-1005](#) or [28-1005.01](#). Whenever the court believes that such reimbursement may be a proper sentence or the prosecuting attorney requests, the court shall order that the presentence investigation report include documentation regarding the nature and amount of the expenses incurred. The court may order that reimbursement be made immediately, in specified installments, or within a specified period of time, not to exceed five years after the date of judgment.

#### Source

Laws 1988, LB 170, § 4;  
Laws 1997, LB 551, § 1;  
Laws 2002, LB 82, § 5;

Laws 2010, LB252, § 3;  
Laws 2010, LB712, § 11;  
Laws 2015, LB360, § 1.

## Cross References

**Commercial Dog and Cat Operator Inspection Act**, see section 54-625.

28-1005.01
Chapter 28 Index
28-1007

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