



**Hundredth Legislature - Second Session - 2008**  
**Committee Statement**  
**LB 533**

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**Hearing Date:** February 28, 2007  
**Committee On:** Judiciary

**Introducer(s):** (Heidemann)

**Title:** Remove a requirement of consent and waiver of physical appearance for audiovisual court appearances

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**Roll Call Vote – Final Committee Action:**

- Advanced to General File
  - X Advanced to General File with Amendment AM 445
  - Indefinitely Postponed
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**Vote Results:**

|   |                     |  |
|---|---------------------|--|
| 7 | Yes                 | Sen. Ashford, Sen. Lathrop, Sen. McDonald, Sen. McGill, Sen. Pedersen, Sen. Pirsch, Sen. Schimek |
|   | No                  |  |
|   | Present, not voting |  |
| 1 | Absent              | Sen. Chambers  |

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**Proponents:**

Sen. Heidemann  
 Robert Houston

**Representing:**

Introducer  
 Nebraska Department of Correction Services

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

Under current law, a written waiver of arraignment and a plea of not guilty offered by a defendant to the district court must include consent and waiver of the right to a physical appearance. Also, a written consent and waiver of a physical personal appearance must be signed by a detainee or prisoner when an audiovisual court appearance is made in nonevidentiary criminal proceedings.

Legislative Bill 533 amends N.R.S. §29-4206 to remove the requirement that consent and waiver of the right to a physical appearance be included in a written waiver of arraignment and a plea of not guilty. LB 533 also repeals §29-4203 outright, thus removing the requirement for written

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consent and waiver of the physical personal appearance when an audiovisual court appearance is made in nonevidentiary criminal proceedings.

As amended by AM 445, Legislative Bill 533 leaves §29-4206 untouched.

**Explanation of amendments, if any:**

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**Senator Brad Ashford, Chairperson**