



**Hundredth Legislature - First Session - 2007
Committee Statement
LB 623**

Hearing Date: March 7, 2007
Committee On: Judiciary

Introducer(s): (Pirsch)
Title: Change provisions relating to speedy trial

Roll Call Vote – Final Committee Action:

- X Advanced to General File
 - Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

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

Proponents:
Sen. Pirsch
Jim Magquire

Representing:
Introducer
Fraternal Order of Police #2, Douglas County Sheriff's Office

Matt Kuhse

Douglas County Attorney's Office, Ne County Attorney's Association.

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Bill 623 proposes to amend Nebraska criminal procedure statutes relating to the right to a speedy trial. Nebraska Revised Statutes section 29-1207 provides that a defendant has a right to have his or her trial begin within 6 months. This 6 month period currently begins on the date when the criminal information charging the individual with a crime is filed. LB 623 creates

an exception to this rule for misdemeanor domestic assault offences, and provides that in such cases the period begins on the date the individual is arrested on a complaint as part of a warrant for arrest. LB 623 also makes several technical corrections to section 29-1207 to make it gender neutral.

The bill references the term intimate partner, which is a statutorily defined term relating to the criminal offense of domestic assault:

28-323 (7) For purposes of this section, intimate partner means a spouse; a former spouse; persons who have a child in common whether or not they have been married or lived together at any time; and persons who are or were involved in a dating relationship. For purposes of this subsection, dating relationship means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement, but does not include a casual relationship or an ordinary association between persons in a business or social context.

Explanation of amendments, if any:

Senator Brad Ashford, Chairperson