



Hundredth Legislature - Second Session - 2008
Introducer's Statement of Intent
LB 843

Chairperson: Brad Ashford
Committee: Judiciary
Date of Hearing: February 20, 2008

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 843 changes the sentencing requirements for certain minors.

Current law provides that persons convicted of Class I felonies are sentenced to death unless they were under the age of 18 when the crime was committed. Those convicted of Class IA felonies are sentenced to life without parole. This bill would change the statutes so that any person convicted of a Class I or Class IA felony, who was at least 16 years of age, but under 18 years of age, at the time of the crime, would be sentenced to 50 years to life in prison. If the person were under the age of 16 at the time of the crime, the sentence would be 40 years to life in prison.

LB 843 also changes the minimum sentence for any person who is convicted of a Class IB felony (current penalty is a 20 year minimum to a maximum of life imprisonment). The bill would change this so that the minimum sentence for a person who is under the age of 18 at the time of the crime shall not exceed 40 years. This would make them eligible for parole in 20 years and would insure that the penalty for those convicted of 2nd degree murder would not be a longer sentence than those convicted of 1st degree murder.

The intent of the bill is to require the courts to take into consideration the lack of maturity and physical and mental development that persons under the age of 18 possess and to prevent the courts from sentencing such persons to life in prison without possibility of parole.

Principal Introducer:

Senator Dwite Pedersen