

ONE HUNDRED FIRST LEGISLATURE - FIRST SESSION - 2009
COMMITTEE STATEMENT
LB273

Hearing Date: Wednesday February 04, 2009
Committee On: Government, Military and Veterans Affairs
Introducer: Ashford
One Liner: Change sheriff's fees and handgun certificate fees

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 5 Senators Avery, Giese, Janssen, Price, Sullivan
Nay:
Absent:
Present Not Voting: 3 Senators Karpisek, Pahls, Pirsch

Proponents:
Senator Brad Ashford
Terry Wagner
Philip Woodward
Rick Boucher
Jon Edwards

Representing:
Introducer
Nebraska Sheriffs Association - Lancaster County
Nebraska Sheriffs Association - Douglas County
Nebraska Sheriffs Association
Nebraska Association of County Officials

Opponents:
Jeremiah Luebbe
Jordan Austin
William Mueller

Representing:
Credit Management Services, Inc.
National Rifle Association
Nebraska State Bar Association, and Nebraska
Collectors Association

Neutral:
Chris Zeeb

Representing:
Nebraska Firearms Owners Association

Summary of purpose and/or changes:

LB 273 increases the fees charged by sheriffs for various services such as serving capias, search warrants, summons, subpoenas, and various notices. The bill adds a new fee for making a return for each traffic, misdemeanor, or felony arrest warrant or capias.

The fee charged for each handgun application is raised from \$5 to \$10 which is used to cover the cost of a criminal history record check.

Finally, the fee for a sheriff or assistant to convey convicted prisoners to any Department of Correctional Services adult correctional facility is raised. The prohibition of allowance for assistance when only one prisoner is conveyed is eliminated.

The bill contains an emergency clause and has an operative date of July 1, 2009.

Explanation of amendments:

The committee amendment strikes the original sections of the bill and adds the following provisions:

The fee for serving a summons, subpoena, order of attachment, order or replevin, order of the court, notice of motion, other notice, other writ or document or combination thereof, is increased from \$10 to \$12.

The fee for serving additional persons with summons, subpoena, order of attachment, order of replevin, order of the court, notice of motion, other notice, other writ or documents or combination thereof for each other person served at that time and location, is increased from \$2.50 to \$3.

The fee for levying a writ or court order and return thereof is increased from \$15 to \$18.

The fee for executing a writ of restitution or a writ of assistance and return is increased from \$15 to \$18.

The fee for making a return of each summons, subpoena, order of attachment, order of replevin, other order, notice of motion, other notice, other writ or document, whether served or not, is increased from \$5 to \$6.

The committee amendment contains an emergency clause.

Bill Avery, Chairperson