



One Hundred First Legislature - Second Session - 2010
Introducer's Statement of Intent
LB 1062

Chairperson: Brad Ashford
Committee: Judiciary
Date of Hearing: February 18, 2010

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

LB 1062 creates the offense of “voluntary” manslaughter, which is the same as the current theory of “sudden quarrel” manslaughter. It increases the potential punishment for voluntary manslaughter to a class II felony (1 to 50 years).

It creates the new offense of “involuntary” manslaughter, which is similar to the current “unlawful act” theory of manslaughter and leave the potential punishment to a class III felony (1 to 20 years). However, it limits the “unlawful act” that can form the basis for “involuntary” manslaughter to a class III misdemeanor (or greater) as defined in the criminal code. It would prohibit the use of a traffic infraction as the predicate unlawful act.

Driving while intoxicated that results in a death can be prosecuted as a class III felony (1 to 20 years) under the current version of Neb. Rev. Stat. § 28-306.

Principal Introducer:

Senator Amanda McGill