



One Hundred First Legislature - First Session - 2009
Introducer's Statement of Intent
LB 55

Chairperson: Bill Avery
Committee: Government, Military and Veterans Affairs
Date of Hearing: January 23, 2009

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

The bill sets forth the requirement that anyone seeking nomination or appointment for county attorney in any county in Nebraska be admitted to the practice of law in Nebraska. This amendment clarifies Section 23-1201.02, which states the qualifications for county attorney. The current statute addresses only counties with more than twenty thousand inhabitants (Class 4, 5, 6, or 7) and requires that anyone seeking nomination or appointment for county attorney in such counties shall have been actively practicing law in Nebraska for two years. No changes have been made to these requirements. The amendment clarifies that for counties with less than twenty thousand inhabitants, or for counties in Class 4, 5, 6, or 7 where no person having two years of experience seeks nomination or appointment, the requirement still exists that anyone seeking to be county attorney must be admitted to the practice of law in Nebraska.

The amendment also clarifies that for purposes of the classification of counties found in this section, the classification of counties as found in Section 23-1114.01 shall apply.

The bill also amends the qualifications for Attorney General to require that a candidate must have been admitted to the practice of law in Nebraska and shall have practiced law for at least two years in this state prior to taking office.

Principal Introducer:

Senator Deb Fischer