



One Hundred First Legislature - Second Session - 2010
Introducer's Statement of Intent
LB 840

Chairperson: Brad Ashford
Committee: Judiciary
Date of Hearing: February 5, 2010

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

LB 840 amends the Criminal Attempt statute (§ 28-201) to include IC and ID felonies. When a person attempts to commit a crime, the Criminal Attempt Statute comes into play. The prosecutor will then charge that defendant with Attempted [insert crime]. Most any crime can be attempted and as such, all such crimes need to be included in the Criminal Attempt statute in order to allow prosecutors the fullest possible charging options.

The first IC and ID felonies were created back in 1989. However, the Criminal Attempt statute was not also amended to encompass these new crimes. Over time other IC and ID crimes were enacted by the legislature. As the law stands now there are certain gun and drug charges which prosecutors cannot file as attempts because the crime which was attempted was a IC or ID. LB 840 adds IC and ID felonies to the Criminal Attempt statute, thereby allowing prosecutors the ability to charge the proper crime.

Principal Introducer: _____
Senator Scott Lautenbaugh