

ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013
COMMITTEE STATEMENT
LB607

Hearing Date: Thursday February 14, 2013
Committee On: Judiciary
Introducer: Pirsch
One Liner: Change provisions relating to protection order violations and conditions of release violations

Roll Call Vote - Final Committee Action:
Indefinitely postponed

Vote Results:

Aye:	6	Senators Ashford, Chambers, Christensen, Coash, McGill, Seiler
Nay:		
Absent:	1	Senator Davis
Present Not Voting:	1	Senator Lathrop

Proponents:
SEN. PETE PIRSCH

Representing:
INTRODUCER

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 607 would amend subsection (1) of 42-929 (Arrest; peace officer; duties; conditions of release.) of the Nebraska Revised Statutes to provide that a judge may on either their own motion, motion from a prosecutor, or request of the alleged victim issue an "ex parte" temporary protection order as provided in section 42-925. The ex parte temporary order provided under this section shall remain in effect until the following occurs:

Person against whom the order is applied to is convicted or acquitted;

A plea is entered into;

The charge is dismissed; or

Upon the judge's order after hearing.

The show-cause hearing shall be held within seven days after receipt of the request for a show-cause hearing.

LB 607 also creates a new subsection (2) to 42-929 to provide that a judge upon receiving application that a person has violated the conditions of release from custody, shall upon a finding of probable cause that said conditions have been violated, issue an arrest warrant directing the person believed to be in violation be brought immediately before the judge. (This section removes discretion from the judge under certain circumstances.)

Brad Ashford, Chairperson