

# **One Hundred Fifth Legislature - First Session - 2017**

## **Introducer's Statement of Intent**

### **LB395**

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**Chairperson: Senator Laura Ebke**

**Committee: Judiciary**

**Date of Hearing: March 16, 2017**

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

LB 395 amends several statutes relating to setting bail, or bonds, for criminal cases. The bill provides that, in setting bond amounts for individual defendants, the court shall consider all methods and conditions of release to avoid pretrial incarceration for offenses. In determining the bond amount, the court shall specifically consider the financial ability of a defendant to pay a bond. Additionally, if a court sets a money bond, the court shall appoint counsel to represent such defendant if the defendant is found to be indigent.

LB 395 provides courts with broadened authority to release pretrial detainees on bond with conditions of supervision by various entities. The bill provides courts with the ability to waive any costs associated with such supervision and states that eligibility for release shall not be conditioned upon defendants' ability to pay.

Finally, under current law, the judges of the county courts are to set a uniform bond schedule for all misdemeanor and most felony charges. LB 395 provides that, in setting the amounts of bond in the schedules, the financial ability to pay bonds shall be the primary consideration of the judges in setting the amounts of bonds.

**Principal Introducer:** \_\_\_\_\_

Senator Adam Morfeld