

ONE HUNDRED SIXTH LEGISLATURE - SECOND SESSION - 2020
COMMITTEE STATEMENT
LB1004

Hearing Date: Wednesday February 19, 2020
Committee On: Judiciary
Introducer: Lathrop
One Liner: Change provisions relating to parole eligibility

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye:	7	Senators Brandt, Chambers, DeBoer, Lathrop, Morfeld, Pansing Brooks, Wayne
Nay:		
Absent:		
Present Not Voting:	1	Senator Slama

Oral Testimony:

Proponents:

Senator Steve Lathrop
Joe Nigro

Spike Eickholt
Jeff Lux
Aaron Hanson

Representing:

Introducer
Lancaster Public Defender & Nebraska Criminal Defense Attorneys Association
ACLU of Nebraska
Nebraska County Attorneys Association
Omaha Police Officers Association

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 1004 would adjust the parole eligibility date (PED) by adding language that an offender becomes parole eligible at least two years before the mandatory discharge date. Current law provides that an offender is parole eligible upon serving one half of the minimum term and LB 1004 would add the two years before mandatory discharge whichever is earlier.

Section by section

Section 1 Amends section 83-1,110 regarding an offender's parole eligibility date, by adding a time frame of two years before mandatory discharge date in addition to the current time frame of one half of the minimum term, whichever is earlier.

Section 2 Repeals original section.

Explanation of amendments:

The Committee Amendment, AM 3094, combines LB 1004 with LB 1036 and adds some additional language. LB 1004, described above, is found in Section 3 of AM 3094.

LB 1036

Section 43-2101 provides that the age of majority in Nebraska is age nineteen, with certain exceptions.

LB1036 would amend Sec. 43-2101 to add two additional exceptions. First, a person eighteen years of age may make health care decisions without the consent of his or her parent or guardian. Second, a person committed to the Department of Correctional Services for secure care may consent to medical and mental health care during the person's confinement without consent of a parent or guardian. The provisions of LB 1036 are found in Section 1 of AM 3094
Additional Language

The Committee amendment also adds, in section 2 of AM 3094, language that requires the Director of Supervision and Services (Parole) to establish standards and policies including caseload standards for the field parole service. The added language also requires annual reports beginning in January of 2021 regarding caseloads.

LB 1036 had a public hearing on 1/31/20

Proponents:

Senator Adam Morfeld, Introducer

Lauren McNeal, UNL ASUN Student Government

Terry Shannon Thomas, self

Jean Martin, COPIC

Opponents - NONE

Steve Lathrop, Chairperson