

ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019
COMMITTEE STATEMENT
LB131

Hearing Date: Friday March 15, 2019
Committee On: Judiciary
Introducer: Pansing Brooks
One Liner: Change certain provisions relating to minimum sentences

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:	1	Senator Slama
Absent:		
Present Not Voting:		

Oral Testimony:

Proponents:

Senator Patty Pansing Brooks
Thomas Riley

Spike Eickholt

Representing:

Introducer
Douglas County Defender's Office; Nebraska Criminal Defense Attorneys Association
ACLU of Nebraska

Opponents:

Corey O'Brien
Aaron Hanson
Mike Jensen
Stanley Malone

Representing:

Nebraska Attorney General's Office
Omaha Police Officers Association
Nebraska County Attorneys Association
self

Neutral:

Representing:

Summary of purpose and/or changes:

For Class IB, IC, ID, II, and IIA felonies, the sentencing judge imposes a minimum and maximum term to be served. Upon reaching the minimum sentence, the offender becomes parole eligible. Upon reaching the maximum sentence, the offender must be released.

Under the current version of Sec. 29-2204(1)(a), the minimum sentence can be any term of years less than maximum term imposed by the court.

LB131 would amend Sec. 29-2204 to provide that a minimum term shall not be less than the statutory minimum or mandatory minimum and shall not be more than one-third of the statutory maximum.

Explanation of amendments:

AM1549 would provide that a minimum term cannot be more than half of the maximum term imposed by the court.

Steve Lathrop, Chairperson