

Legislature - First Session - 2019

Introducer's Statement of Intent

LB532

Chairperson: Senator Steve Lathrop

Committee: Judiciary

Date of Hearing: February 22, 2019

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

LB 532 updates and harmonizes statute regarding harassment, sexual assault, and domestic abuse protection orders.

Each of these protection orders, as a result of their creation independent of one another, have different procedures, guidelines, and restrictions from one another which creates difficulties for courts, respondents, and petitioners. LB 532 makes these processes consistent with one another, and further clarifies other aspects, such as making it explicit who a protection order is granting relief to.

Additionally, LB 532 clarifies that a respondent has 10 business days to request a show of cause hearing on an ex parte order, that an order not granted ex parte shall have a hearing within 14 days, and the process by which an ex parte order shall become a final protection order. It also specifies how a sexual assault and domestic abuse order can be renewed and when a renewed order takes effect.

Finally, it ensures that a petitioner may not be charged with violating a protection order, changes the petition so that it also includes the most severe incident(s) rather than simply the most recent, and allows for the secure sharing of petitioner information with the National Crime Information Center to make it easier for Nebraska protection orders to be enforced in other states.

Principal Introducer: _____

Senator Machaela Cavanaugh