

ONE HUNDRED SEVENTH LEGISLATURE - FIRST SESSION - 2021
COMMITTEE STATEMENT
LB661

Hearing Date: Wednesday February 24, 2021
Committee On: Judiciary
Introducer: McDonnell
One Liner: Prohibit assault on a public transportation driver and clarify provisions relating to assault on officers, emergency responders, certain employees, and health care professionals

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

Vote Results:
Aye: 6 Senators Brandt, DeBoer, Geist, Lathrop, Morfeld, Slama
Nay: 2 Senators McKinney, Pansing Brooks
Absent:
Present Not Voting:

Oral Testimony:

Proponents: Senator Mike McDonnell Michael Chipman Joe Boncordo Russell Goforth Tuahe Chang Larry Dixon Aaron Hansen	Representing: Introducer FOP 88 Omaha Metro Omaha Metro Omaha Metro Transit Authority & Transport Workers Union Local #223 Omaha Metro Transit Omaha Police Officers Association
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Opponents: Spike Eickholt	Representing: Nebraska Criminal Defense Attorneys Association & ACLU of Nebraska
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Neutral:	Representing:
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Submitted Written Testimony:

Proponents: David Slattery	Representing: Nebraska Hospital Association
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Opponents:	Representing:
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Neutral:	Representing:
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Summary of purpose and/or changes:

LB661 would expand the offense of assault on certain employees.

Section 3 would amend Sec. 28-929.01 to create the term "public safety officer". This term would include officer, emergency responder, state correctional employee, certain DHHS employees, probation officers, and firefighters.

Section 4 would amend Sec. 28-929 to change the offense of first degree assault on certain employees to replace the list of employees with "public safety officer" and add public transportation driver.

Section 5 would amend Sec. 28-930 to change the offense of second degree assault on certain employees to replace the list of employees with "public safety officer" and add public transportation driver.

Section 6 would amend Sec. 28-931 to change the offense of third degree assault on certain employees to replace the list of employees with "public safety officer" and add public transportation driver.

Section 7 would amend Sec. 28-934 to expand the offense of assault with a bodily fluid against a public safety officer to include health care professionals and public transportation drivers.

Section 9 would amend Sec. 28-1351 to harmonize references to Sections 4-6.

Section 10 would amend Sec. 28-1354 to harmonize references to Sections 4-6.

Section 11 would amend Sec. 29-2221 to harmonize references to Section 4.

Explanation of amendments:

The definition of "public transportation driver" in Section 3 would exclude taxi drivers. AM612 would correct a typographical error.

Steve Lathrop, Chairperson