

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 444

Introduced by Hansen, M., 26.

Read first time January 15, 2021

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to jails; to amend section 47-503, Reissue
- 2 Revised Statutes of Nebraska, and section 47-502, Revised Statutes
- 3 Cumulative Supplement, 2020; to change provisions relating to credit
- 4 against jail terms; to harmonize provisions; and to repeal the
- 5 original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 47-502, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 47-502 Any person sentenced to or confined in a city or county jail,
4 including any person serving a custodial sanction imposed in response to
5 a parole or probation violation, shall, ~~after the fifteenth day of his or~~
6 ~~her confinement,~~ have his or her remaining term reduced one day for each
7 day of his or her sentence or sanction during which he or she has not
8 committed any breach of discipline or other violation of jail
9 regulations.

10 Sec. 2. Section 47-503, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 47-503 (1) Credit against a jail term shall be given to any person
13 sentenced to a city or county jail for time spent in jail as a result of
14 the criminal charge for which the jail term is imposed or as a result of
15 conduct upon which such charge is based. Such credit shall include, but
16 not be limited to, time spent in jail:

17 (a) Prior to trial;

18 (b) During trial;

19 (c) Pending sentence;

20 (d) Pending resolution of an appeal; and

21 (e) Prior to delivery of such person to the county board of
22 corrections or, in counties which do not have a county board of
23 corrections, the county sheriff.

24 (2) If a person is arrested on one charge and prosecuted on another
25 charge growing out of conduct which occurred prior to such person's
26 arrest, credit against the term of any sentence resulting from such
27 prosecution shall be given for all time spent in custody under the former
28 charge which has not been credited against another sentence.

29 (3) {2} Credit to any person sentenced to a city or county jail who
30 is eligible for credit pursuant to subsection (1) or (2) of this section
31 shall be set forth as part of the sentence at the time such sentence is

1 imposed.

2 Sec. 3. Original section 47-503, Reissue Revised Statutes of
3 Nebraska, and section 47-502, Revised Statutes Cumulative Supplement,
4 2020, are repealed.