

ONE HUNDRED NINTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 15CA

PROPOSED CONSTITUTIONAL AMENDMENT

Introduced by McKinney, 11.

Read first time January 15, 2025

Committee: Judiciary

1 THE MEMBERS OF THE ONE HUNDRED NINTH LEGISLATURE OF NEBRASKA, FIRST
2 SESSION, RESOLVE THAT:

3 **Section 1.** At the general election in November 2026, the following
4 proposed amendment to the Constitution of Nebraska shall be submitted to
5 the electors of the State of Nebraska for approval or rejection:

6 To amend Article I, sections 9 and 23:

7 **I-9** (1) All persons shall be bailable by sufficient sureties, except
8 for treason, sexual offenses involving penetration by force or against
9 the will of the victim, and murder, where the proof is evident or the
10 presumption great.

11 (2) Excessive bail shall not be required, nor excessive fines
12 imposed, nor cruel and unusual punishment inflicted.

13 (3) The death penalty shall not be imposed for any offense. For any
14 individual under a sentence of death, whether before, on, or after the
15 adoption of this amendment, such sentence is commuted to a sentence of
16 life imprisonment.

17 ~~**I-23** In all capital cases, appeal directly to the Supreme Court~~
18 ~~shall be as a matter of right and shall operate as a supersedeas to stay~~
19 ~~the execution of the sentence of death until further order of the Supreme~~
20 ~~Court.~~ In all other cases, criminal or civil, an aggrieved party shall be
21 entitled to one appeal to the appellate court created pursuant to Article
22 V, section 1, of this Constitution or to the Supreme Court as may be
23 provided by law.

1 **Sec. 2.** The proposed amendment shall be submitted to the electors
2 in the manner prescribed by the Constitution of Nebraska, Article XVI,
3 section 1, with the following ballot language:

4 A constitutional amendment to eliminate the death penalty and
5 commute any existing sentence of death to a sentence of life
6 imprisonment.

7 For

8 Against.