

ONE HUNDRED FIRST LEGISLATURE - SECOND SESSION - 2010
COMMITTEE STATEMENT
LB840

Hearing Date: Friday February 05, 2010
Committee On: Judiciary
Introducer: Lautenbaugh
One Liner: Change provisions relating to criminal attempt

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye:	7	Senators Ashford, Christensen, Coash, Lathrop, Lautenbaugh, McGill, Rogert
Nay:		
Absent:		
Present Not Voting:	1	Senator Council

Proponents:

Brent Smoyer
Shawn Eatherton

Representing:

Introducer
Nebraska County Attorneys Association

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 840 would amend 28-201(4), which provides for the crime of Criminal Attempt, by adding to the list of offenses that would qualify as criminal attempt crimes punishable as a Class II felony, Class IC and ID offenses.

LB 840 attempts to correct errors arising as a result of the passage of LB 63, which was passed during the 2009 Legislative session. LB 63 increased the penalties for the commission of various criminal offenses, however it failed to reflect the changes in the corresponding criminal attempt statutes and as the criminal attempt statute reference a specific penalty, criminal attempt for crimes that were increased to Class IC and ID offenses which used to be prosecutable before their increase, could no longer be prosecuted under this statute.

LB 840 would also amend 28-201(4) (c) by striking any reference to crimes no longer eligible for prosecution under this section.

Brad Ashford, Chairperson