

One Hundred Fifth Legislature - First Session - 2017

Introducer's Statement of Intent

LB26

Chairperson: Senator Laura Ebke

Committee: Judiciary

Date of Hearing: January 19, 2017

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

In State v. Graff, 810 N.W. 2d 140; 282 Neb. 746 (2011), the Nebraska Supreme Court held that a defendant who had not been personally served with a harassment order could not be convicted of knowingly violating the order, despite his having actual knowledge of a harassment protection order against him. LB 26 amends 28-311.09 to provide that when it can be shown that the defendant has actual knowledge of the harassment protection order, the defendant shall be deemed to have notice under the statute.

Principal Introducer: _____

Senator John Murante