

LEGISLATIVE BILL 966

Approved by the Governor March 19, 1974

Introduced by Judiciary Committee, Luedtke, 2H, Chmn.; Barnett, 26; DeCamp, 40; Fellman, 4; Chambers, 11

AN ACT to amend section 29-2206, Revised Statutes Supplement, 1972, relating to criminal procedure; to provide when revocation or suspension of a motor vehicle operator's license shall be effective when a fine is paid in installments; to repeal the original section; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 29-2206, Revised Statutes Supplement, 1972, be amended to read as follows:

29-2206. In all cases wherein courts or magistrates have now or may hereafter have the power to punish offenses, either in whole or in part, by requiring the offender to pay a fine or costs, or both, such courts or magistrates may make it a part of the sentence that the party stand committed and be imprisoned in the jail of the proper county until the same is paid or secured to be paid, or the defendant is otherwise discharged according to law; Provided, when the offender demonstrates to the court or magistrate that he is unable to pay such fine in one lump sum the court or magistrate shall make arrangements suitable to the court or magistrate and to the offender whereby the offender may pay the fine in installments. The court or magistrate shall enter an order specifying the terms of such arrangements and the dates on which payments are to be made. When the judgment of conviction provides for the suspension or revocation of a motor vehicle operator's license and the court authorizes the payment of a fine by installments, the revocation or suspension shall be effective as of the date of judgment.

Sec. 2. That original section 29-2206, Revised Statutes Supplement, 1972, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.