

LEGISLATIVE BILL 289

Approved by the Governor March 9, 1975

Introduced by Judiciary Committee, Luedtke, 28, Chmn.;
Barnett, 26; Anderson, 37; Nichol, 48; DeCamp,
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AN ACT to amend sections 29-2262 and 29-2263, Revised Statutes Supplement, 1974, relating to criminal procedure; to provide additional probation conditions that may be imposed by the court; and to repeal the original sections.

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

Section 1. That section 29-2262, Revised Statutes Supplement, 1974, be amended to read as follows:

29-2262. (1) When a court sentences an offender to probation, it shall attach such reasonable conditions as it deems necessary or likely to insure that the offender will lead a law-abiding life.

(2) The court, as a condition of its sentence, may require the offender:

(a) To refrain from unlawful conduct;

(b) To be confined periodically in the county jail or to return to custody after specified hours, but not to exceed ninety days;

~~(b)~~ (c) To meet his family responsibilities;

~~(c)~~ (d) To devote himself to a specific employment or occupation;

~~(d)~~ (e) To undergo medical or psychiatric treatment and to enter and remain in a specified institution for that purpose;

~~(e)~~ (f) To pursue a prescribed secular course of study or vocational training;

~~(f)~~ (g) To attend or reside in a facility established for the instruction, recreation or residence of persons on probation;

~~(g)~~ (h) To refrain from frequenting unlawful or disreputable places or consorting with disreputable persons;

{h} (i) To have in his possession no firearm or other dangerous weapon unless granted written permission;

{i} (j) To make restitution of the fruits of his crime or to make such reparation as the court determines to be appropriate for the loss or damage caused thereby;

{j} (k) To remain within the jurisdiction of the court and to notify the court or the probation officer of any change in his address or his employment;

{k} (l) To report as directed to the court or a probation officer and to permit the officer to visit his home;

{l} (m) To pay a fine in one or more payments, as ordered; or

(n) To pay for blood, urine, or breath alcohol tests, psychological evaluations, and rehabilitative services required in the indentification, evaluation, and treatment of offenders if such offender has the financial ability to pay for such services; or

{m} (o) To satisfy any other conditions reasonably related to the rehabilitation of the offender.

Sec. 2. That section 29-2263, Revised Statutes Supplement, 1974, be amended to read as follows:

29-2263. (1) When a court has sentenced an offender to probation, the court shall specify the term of such probation which shall be not more than five years upon conviction of a felony or second offense misdemeanor or and two years upon conviction of a first offense misdemeanor. The court, on application of a probation officer or of the offender or on its own motion, may discharge an offender at any time.

(2) During the term of probation, the court on application of a probation officer or of the offender, or its own motion, may modify or eliminate any of the conditions imposed on the offender or add further conditions authorized by section 29-2262.

(3) Upon completion of the term of probation, or the earlier discharge of the offender, the offender shall be relieved of any obligations imposed by the order of the court and shall have satisfied his sentence for his crime.

(4) Whenever a probationer disappears or leaves the jurisdiction of the court without permission, the

time during which he keeps his whereabouts hidden or remains away from the jurisdiction of the court shall be added to the original term of probation.

Sec. 3. That original sections 29-2262 and 29-2263, Revised Statutes Supplement, 1974, are repealed.