

LEGISLATIVE BILL 435

Approved by the Governor February 18, 1992

Introduced by Chizek, 31

AN ACT relating to courts; to amend section 29-1901, Revised Statutes Supplement, 1990; to change provisions relating to payment of certain witness fees and mileage as prescribed; and to repeal the original section.

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

Section 1. That section 29-1901, Revised Statutes Supplement, 1990, be amended to read as follows:

29-1901. (1) In all criminal cases it shall be the duty of the clerk, upon a praecipe being filed, to issue writs of subpoena for all witnesses named in the praecipe, directed to the sheriff of his or her county or of any county in the state where the witnesses reside or may be found, which shall be served and returned as in other cases. Such sheriff, by writing endorsed on such writs, may depute any disinterested person to serve and return the same. The writs of subpoena and all notices to appear shall include the following or substantially similar language: You may be entitled to compensation for witness fees and mileage for each day actually employed in attendance on the court or grand jury.

(2) A witness in a traffic, criminal, or juvenile case shall be entitled to a witness fee and mileage after appearing in court in response to a subpoena. The clerk of the court shall immediately submit a claim for payment of witness fees and mileage on behalf of all such witnesses to the county treasurer in such state cases or to the city treasurer in such city cases. All witness fees and mileage paid by a defendant as part of the court costs ordered by the court to be paid shall be reimbursed to the appropriate treasurer.

Sec. 2. That original section 29-1901, Revised Statutes Supplement, 1990, is repealed.