

ONE HUNDRED FIRST LEGISLATURE - FIRST SESSION - 2009
COMMITTEE STATEMENT
LB598

Hearing Date: Friday March 20, 2009
Committee On: Judiciary
Introducer: Ashford
One Liner: Change the Nebraska Crime Victim's Reparations Act and authorize a Community Trust to assist with tragedies of violence or natural disaster

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

Vote Results:

Aye: 8 Senators Ashford, Christensen, Coash, Council, Lathrop, Lautenbaugh, McGill, Rogert
Nay:
Absent:
Present Not Voting:

Proponents:

Sen. Brad Ashford
Michael McLarney

Representing:

Introducer
United Way of the Midlands

Opponents:

Representing:

Neutral:

Tina Price

Representing:

American Red Cross

Summary of purpose and/or changes:

LB 598 would authorize the creation of a nonprofit community trust by the Crime Victims Reparations Committee, for the purposes of receiving tax free contributions from the public, managing the receipt of those contributions from the public and making distributions of those contributions to help individuals, families, and communities who have suffered from a tragedy of violence or natural disaster.

Under LB 598, the Crime Victims Reparations Committee would be expanded to include two additional members of the public, one member representing charitable organizations and one member shall represent businesses. This group will be tasked with the creation of a non-profit community Trust and the implementation of the Community Trusts Board of Directors. The Community Trust shall be required to:

-Submit an annual report of its activities to the Crime Victims Reparations Committee.

-The Community trust shall create a separate fund for each tragedy and begin to accept contributions immediately after a tragedy. The Trust shall be established as a 501 (c) (3) qualified organization under the Internal Revenue Code, thereby enabling contributions to be tax deductible to the donor and for distributions to be tax free to the recipient.

-The Community Trust may use the same procedures in place for the receiving and granting of applications that is currently used by the Crime Victims Reparations Committee, for the accepting and granting of funds from the Crime Victims Fund or the Board of Directors of the Community Trust may adopt alternate procedures for identifying eligible

recipients, use of funds, and distribution of funds.

If alternate procedures are adopted, those procedures must contain the following provisions:

1. Establish a distribution committee for the tragedy within one week after the tragedy,
2. Establish eligible recipient criteria and eligible uses of the fund,
3. Begin initial distribution of the fund within three weeks after the tragedy,
4. Make subsequent distributions within three months after the tragedy, and
5. Complete all distributions within six months after the tragedy.

The Crime Victims Reparations Committee shall act as the oversight committee for the Community Trust and shall annually report the Community Trusts activities to the Nebraska Commission on Law Enforcement and Criminal Justice, the Governor, and the Clerk of the Legislature.

Brad Ashford, Chairperson