

ONE HUNDRED SECOND LEGISLATURE - FIRST SESSION - 2011
COMMITTEE STATEMENT
LB66

Hearing Date: Wednesday January 19, 2011
Committee On: Judiciary
Introducer: Cornett
One Liner: Change provisions relating to DNA collection

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

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

Proponents:

Jeff Davis
Sean Kelley
Amy Prenda

Representing:

NE Sheriff's Association
Douglas County
NE Sheriff's Association

Opponents:

Ellen Fabian Brokofsky

Representing:

Office of Probation & Administrations

Neutral:

Representing:

Summary of purpose and/or changes:

LB 66 would amend 29-4106 to require that DNA samples that are required to be collected under this section be collected by a probation officer from all persons placed on probation. The DNA sample will be collected at the probation office.

LB 66 also clarifies that the collection of a DNA sample from those individuals who are not placed on probation and only receive a fine shall be collected at a detention facility or institution.

Finally, LB 66 provides that if the court waives the cost of taking a DNA Sample for any reason, a county jail or other county detention facility or institution shall not be financially responsible for the cost of the sample.

Explanation of amendments:

AM241 makes the following changes to section 1 of LB 66:

Subdivision (1)(a), which provides that a person upon intake to a prison, jail, or other detention facility will have a DNA sample taken, is clarified to provide that if a person is placed in a county facility, the DNA sample shall be collected by the county sheriff.

Subdivision (1) (b) (i) was created to provide that in any county containing a city of the metropolitan class, a person

placed on probation or who receives a penalty of a fine or time served shall have their DNA sample collected by a probation officer at the probation office.

Subdivision (1) (b) (ii) was created to provide that in all other counties that do not have a city of the metropolitan class, A person placed on probation shall have their DNA sample collected by a probation officer at a probation office and a person not placed on probation who receives a fine or time served shall have their DNA sample collected by the county sheriff.

Brad Ashford, Chairperson