

ONE HUNDRED FIFTH LEGISLATURE - FIRST SESSION - 2017
COMMITTEE STATEMENT
LB259

Hearing Date: Thursday March 02, 2017
Committee On: Judiciary
Introducer: Hansen
One Liner: Provide for competency determinations in cases pending before county courts

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

Vote Results:

Aye:	7	Senators Baker, Chambers, Ebke, Hansen, Krist, Morfeld, Pansing Brooks
Nay:	1	Senator Halloran
Absent:		
Present Not Voting:		

Verbal Testimony:

Proponents:
Senator Matt Hansen
Matt Kuhse
Noelle Obermeyer

Representing:
Introducer
City of Omaha & Nebraska State Bar Association
Douglas County Public Defenders Office & Nebraska
Criminal Defense Attorneys Association

Opponents:

Representing:

Neutral:
Corey O'Brien

Representing:
Nebraska Attorney General's Office & Nebraska County
Attorneys Association

Summary of purpose and/or changes:

LB 259 would provide county courts the jurisdiction to determine the competency of a defendant to stand trial. Current statute only provides this jurisdiction to the district court. The bill would further allow a city attorney to call into question the competency of the defendant. As the statute currently reads, only a county attorney has the authority to question the competency of a defendant.

Explanation of amendments:

AM 933 is a white copy amendment that replaces the bill. The amendment adds to LB 259 the following bills, which were advanced from the Judiciary Committee:

- LB 145 as amended by AM 828
- LB 395 as amended by AM 846
- LB 526 as amended by AM 930

Laura Ebke, Chairperson