

Legislature - First Session - 2019

Introducer's Statement of Intent

LB213

Chairperson: Senator Steve Lathrop

Committee: Judiciary

Date of Hearing: January 25, 2019

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Nebraska law allows for courts to set aside a conviction after a defendant completes his or her sentence. Currently, the only people who can request a set aside are those offenders who were sentenced to probation or ordered to pay a fine. A set aside is a limited remedy, and it results in a restoration of some privileges or rights which were lost as a result of the criminal conviction.

LB 213 would extend the rehabilitative remedy and allow for an offender who was sentenced to a year of imprisonment or less after the offender completes his or her sentence.

The factors that a judge considers under current law in determining whether to issue a set aside order remain the same.

The extension of the set aside remedy proposed in this bill would not apply to a person convicted of a traffic offense resulting in jail time or of any offense which would require the offender to register pursuant to the sex offender registration act.

Principal Introducer: _____

Senator John McCollister