

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 500

FINAL READING

Introduced by Geist, 25.

Read first time January 19, 2021

Committee: Judiciary

1 A BILL FOR AN ACT relating to criminal procedure; to amend section
2 29-1301, Reissue Revised Statutes of Nebraska; to provide venue for
3 prosecution of offenses committed using an electronic communication
4 device; to define terms; to harmonize provisions; and to repeal the
5 original section.

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

1 Section 1. Section 29-1301, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 29-1301 All criminal cases shall be tried in the county where the
4 offense was committed, except as otherwise provided in section 25-412.03
5 or sections 29-1301.01 to 29-1301.03 and section 2 of this act, or unless
6 it shall appear to the court by affidavits that a fair and impartial
7 trial cannot be had therein. In such case the court, upon motion of the
8 defendant, shall transfer the proceeding to any other district or county
9 in the state as determined by the court.

10 Sec. 2. (1) If a person uses an electronic communication device to
11 commit any element of an offense, such person may be tried in the county
12 where the electronic communication was initiated or where the electronic
13 communication was received.

14 (2) For purposes of this section:

15 (a) Electronic communication has the same meaning as in section
16 28-1310; and

17 (b) Electronic communication device has the same meaning as in
18 section 28-833.

19 Sec. 3. Original section 29-1301, Reissue Revised Statutes of
20 Nebraska, is repealed.