

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 983

Introduced by Cavanaugh, J., 9; Dungan, 26.

Read first time January 05, 2024

Committee: Judiciary

1 A BILL FOR AN ACT relating to criminal procedure; to provide duties and
2 procedures relating to plea agreements and sentencing; and to define
3 a term.

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

1 Section 1. (1) For purposes of this section, plea agreement means
2 an agreement between a criminal defendant and a prosecutor in which the
3 defendant agrees to plead guilty or nolo contendere to one or more
4 charges and the prosecutor agrees to dismiss other charges, not bring
5 charges, make a sentencing recommendation, or grant other concessions.

6 (2) If a tentative plea agreement has been reached, the parties may
7 disclose the plea agreement to the court prior to tendering the plea. The
8 court may indicate to the parties whether the court will accept any
9 sentencing recommendation or other concession or term that requires
10 approval from the court. If at any time the court determines that it will
11 not accept such recommendation, concession, or term, regardless of
12 whether the court previously indicated that it would, the court shall
13 notify the parties and then call upon the defendant to either affirm or
14 withdraw the defendant's plea of guilty or nolo contendere.