

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 961

Introduced by McKinney, 11.

Read first time January 12, 2026

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to criminal justice; to amend sections 29-2264
- 2 and 29-3005, Revised Statutes Cumulative Supplement, 2024; to adopt
- 3 the Collateral Sanction Relief Act; to change provisions relating to
- 4 set asides; to harmonize provisions; and to repeal the original
- 5 sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Sections 1 to 14 of this act shall be known and may be
2 cited as the Collateral Sanction Relief Act.

3 **Sec. 2.** For purposes of the Collateral Sanction Relief Act:

4 (1) Certificate of qualification for employment means a certificate
5 issued under the Collateral Sanction Relief Act;

6 (2)(a) Collateral sanction means a penalty, disability, or
7 disadvantage that relates to employment or occupational regulation, that
8 arises as a result of a conviction, and that applies because of a
9 statute, rule, or regulation.

10 (b) Collateral sanction does not include imprisonment, probation,
11 parole, post-release supervision, forfeiture, restitution, or assessment
12 of a fine or court costs;

13 (3) Completion of a sentence means completion of any and all periods
14 of imprisonment, probation, parole, and post-release supervision;
15 satisfaction of any fine, court costs, and restitution; and satisfaction
16 of any other aspect of a sentence for an offense;

17 (4) Conviction or convicted includes a plea or verdict of guilty or
18 a conviction following a plea of nolo contendere and includes a
19 conviction of any felony or misdemeanor;

20 (5) Decisionmaker includes, but is not limited to, any occupational
21 board, department, state agency, board, commission, or instrumentality
22 established by the law of this state for the exercise of any function of
23 government; political subdivision; public educational institution; or
24 contractor or subcontractor made subject to the act by contract, law, or
25 ordinance;

26 (6) Discretionary collateral sanction means a collateral sanction
27 imposed by statute, rule, or regulation that permits:

28 (a) Any occupational board or other decisionmaker to deny an
29 application for a government certification, a registration, or an
30 occupational license due to a conviction or to revoke such certification,
31 registration, or license due to a conviction; or

1 (b) An employer to refuse to employ an individual due to a
2 conviction;

3 (7) Government certification has the same meaning as in section
4 84-935;

5 (8) Mandatory collateral sanction means a collateral sanction
6 imposed by statute, rule, or regulation that:

7 (a) Requires an occupational board or other entity to deny an
8 application for a government certification, a registration, or an
9 occupational license due to a conviction or to revoke such certification,
10 registration, or license due to a conviction; or

11 (b) Precludes an employer from employing an individual due to a
12 conviction;

13 (9) Occupational board has the same meaning as in section 84-938;

14 (10) Occupational regulation has the same meaning as in section
15 84-940;

16 (11) Offense means any felony or misdemeanor under the laws of this
17 state; and

18 (12) Registration has the same meaning as in section 84-944.

19 **Sec. 3.** (1) An individual who is subject to a collateral sanction
20 as a result of a conviction may file a petition for a certificate of
21 qualification for employment as provided in this section.

22 (2) The petition shall be filed in a form and manner prescribed by
23 the State Court Administrator. The petition shall be filed in the county
24 court or district court in which the conviction was entered. There shall
25 be no fee charged for filing such petition.

26 (3) The petition shall contain the following information:

27 (a) The petitioner's name, date of birth, and social security
28 number;

29 (b) All aliases of the petitioner and all social security numbers
30 associated with those aliases;

31 (c) The petitioner's residence address, including the city, county,

1 and state of residence and zip code;

2 (d) The length of time that the petitioner has resided in the
3 petitioner's current state of residence, expressed in years and months of
4 residence;

5 (e) A general statement as to why the petitioner has filed the
6 petition and how the certificate would assist the petitioner;

7 (f) A summary of the petitioner's employment history, specifying the
8 name of, and dates of employment with, each employer;

9 (g) Verifiable references and endorsements;

10 (h) The name of one or more immediate family members of the
11 petitioner, or other persons with whom the petitioner has a close
12 relationship, who support the petition;

13 (i) A summary of the reason the petitioner believes the certificate
14 should be granted; and

15 (j) Any other information prescribed by the State Court
16 Administrator.

17 **Sec. 4.** An individual may file a petition under section 3 of this
18 act upon completion of sentence. A petition may be filed prior to
19 completion of sentence if the petitioner attaches to the petition a
20 letter in support of the petition from his or her probation officer or
21 parole officer.

22 **Sec. 5.** (1)(a) Upon receipt of a petition under section 3 of this
23 act, the court shall review the petition to determine if it is complete.

24 (b) If the petition is not complete, the court shall notify the
25 petitioner. The petitioner may submit a completed petition within
26 fourteen days after the notification. If the petitioner does not submit a
27 completed petition within such deadline, the petition shall be dismissed
28 without prejudice.

29 (c) If the petition is complete, the court shall proceed as provided
30 in subsections (2) through (4) of this section.

31 (2) Upon receipt of a complete petition, the court shall:

1 (a) Determine whether the petitioner has been convicted of an
2 offense by any other court in this state;

3 (b) Notify any court identified under subdivision (2)(a) of this
4 section that such court may submit comments regarding the petition;

5 (c) Notify the county attorney; and

6 (d) Notify any known victims of the offense or offenses underlying
7 the petition.

8 (3) The county attorney, any victim of an offense of the petitioner,
9 and any court notified under subdivision (2)(a) of this section may
10 submit materials in support of or opposition to the petition. Any such
11 materials shall be submitted no later than thirty days after the date of
12 filing of a complete petition. Such period may be extended upon request
13 by the petitioner for good cause shown.

14 (4) Following expiration of the period in subsection (3) of this
15 section, the court may grant a petition without a hearing but shall not
16 deny a petition without giving the petitioner notice and an opportunity
17 for a hearing. Such hearing shall be scheduled for no later than thirty
18 days after expiration of the period described in subsection (3) of this
19 section. If a hearing is scheduled, the county attorney and each victim
20 notified under subsection (2) of this section shall be given notice of
21 the hearing. The petitioner, county attorney, and any victim of the
22 petitioner may appear and present evidence regarding the petition.

23 **Sec. 6.** (1) A court shall only grant a petition if the court finds
24 that the petitioner has not been convicted of an offense or charged with
25 an offense during the following periods:

26 (a) If the individual has already received a set aside under section
27 29-2264 or is filing the petition for a certificate of qualification at
28 the same time as a petition for a set aside, the period of six months
29 preceding the date the petition would be granted; or

30 (b) If subdivision (1)(a) of this section does not apply:

31 (i) The period of three years preceding the date the petition would

1 be granted for a conviction involving one or more felonies; or

2 (ii) The period of two years preceding the date the petition would
3 be granted for a conviction involving one or more misdemeanors and no
4 felonies.

5 (2) In addition to the requirements of subsection (1) of this
6 section, the court may grant a petition if the court finds, by a
7 preponderance of the evidence, that granting the petition:

8 (a) Will materially assist the petitioner in obtaining employment,
9 housing, or a government certification, a registration, or an
10 occupational license; and

11 (b) Would not pose an unreasonable risk to the safety of the public
12 or any individual.

13 (3) In deciding whether to grant or deny a petition, the court shall
14 consider:

15 (a) The petition;

16 (b) Any materials submitted or evidence received at a hearing under
17 section 5 of this act;

18 (c) Any presentence investigation report regarding the petitioner;

19 (d) The petitioner's criminal history and rehabilitation efforts,
20 including completion of educational or vocational programs, community
21 involvement, and compliance with probation, parole, or other supervision;

22 (e) The age and circumstances of the petitioner at the time of the
23 offense;

24 (f) Evidence of lawful behavior since completion of sentence; and

25 (g) The petitioner's employment history and prospects.

26 (4) The court may order a presentence investigation report to be
27 prepared or updated to assist in determining whether to grant or deny a
28 petition.

29 (5) The Department of Correctional Services and the Board of Parole
30 shall cooperate with courts, the State Court Administrator, and the
31 Office of Probation Administration in carrying out the Collateral

1 Sanction Relief Act. The department and the board shall provide courts or
2 the office with any information regarding a petitioner that is relevant
3 to a petition and requested by a court or the office.

4 (6) The court shall issue a written decision granting or denying the
5 petition within thirty days after a hearing under section 5 of this act
6 or, if no hearing was held, within thirty days after expiration of the
7 period described in subsection (3) of section 5 of this act.

8 **Sec. 7.** (1) There is a rebuttable presumption that a petition for a
9 certificate of qualification or employment shall be granted if:

10 (a) The conviction does not involve any Class I, IA, IB, IC, ID, or
11 II felony; and

12 (b) The petitioner has not been convicted of an offense or charged
13 with an offense during the following periods:

14 (i) If the individual has already received a set aside under section
15 29-2264 or the court will grant a petition for a set aside at the same
16 proceeding, the period of one year preceding the date the petition would
17 be granted; or

18 (ii) If subdivision (1)(b)(i) of this section does not apply:

19 (A) The period of five years preceding the date the petition would
20 be granted for a conviction involving one or more felonies; or

21 (B) The period of three years preceding the date the petition would
22 be granted for a conviction involving one or more misdemeanors and no
23 felonies.

24 (2) A petition that satisfies subsection (1) of this section shall
25 be denied only if:

26 (a) The court finds by clear and convincing evidence that the
27 petitioner has not been rehabilitated or that granting the petition would
28 pose an unreasonable risk to the safety of the public or any individual;
29 or

30 (b) If the petition is a subsequent petition, it does not satisfy
31 any condition set for a subsequent petition under section 8 of this act.

1 **Sec. 8.** (1) If a court denies a petition, the court shall set forth
2 its decision in writing. As part of a denial, the court may place
3 conditions on the petitioner regarding the filing of a subsequent
4 petition relating to the same conviction.

5 (2) If a court grants a petition, the court shall issue the
6 petitioner a certificate of qualification for employment. The certificate
7 shall be in a form prescribed by the State Court Administrator.

8 (3) An order granting or denying a petition is a final, appealable
9 order for purposes of section 25-1902.

10 **Sec. 9.** (1) A certificate of qualification for employment lifts the
11 automatic bar of a collateral sanction, and a decisionmaker shall
12 determine on a case-by-case basis whether to grant or deny the issuance
13 or restoration of any government certification, registration, or
14 occupational license or whether to hire an individual for employment. In
15 making such determination, the decisionmaker shall not reconsider or
16 reject any finding made by the court in granting the petition.

17 (2) The certificate constitutes a rebuttable presumption that any
18 criminal conviction that is the subject of the certificate is not
19 sufficient evidence that the individual is unfit for employment or any
20 government certification, registration, or occupational license. This
21 presumption may be rebutted if the decisionmaker determines, on an
22 individualized basis, that the individual is unfit.

23 (3) For an individual with a certificate, a decisionmaker shall
24 treat a mandatory collateral sanction as a discretionary collateral
25 sanction.

26 **Sec. 10.** (1) In a judicial or administrative proceeding alleging
27 negligence or other fault, a certificate of qualification for employment
28 may be introduced as evidence of a person's due care in any of the
29 following if the person knew of such certificate at the time of the
30 alleged negligence or other fault:

31 (a) Granting or restoring a government certification, a

1 registration, or an occupational license to the individual holding the
2 certificate; or

3 (b) Hiring, retaining, leasing to, admitting to a school or program,
4 or otherwise transacting business or engaging in activity with such
5 individual.

6 (2) In any civil action against an employer for negligent hiring of
7 the individual holding a certificate of qualification for employment,
8 such certificate shall provide immunity for the employer as to the
9 negligent hiring claim if the employer knew of the certificate at the
10 time of the alleged negligence.

11 (3) In a civil action against an employer alleging negligence in
12 retaining the employment of an individual holding a certificate of
13 qualification for employment who, subsequent to being hired, demonstrates
14 dangerousness or is convicted of a felony, the employer shall be immune
15 as to such negligent retention claim unless it is proved by a
16 preponderance of the evidence that:

17 (a) The person with responsibility for retaining such individual or
18 terminating such individual's employment had actual knowledge of such
19 demonstration of dangerousness or conviction; and

20 (b) Such person willfully retained or failed to terminate the
21 employment of such individual.

22 **Sec. 11.** (1) A certificate of qualification for employment shall be
23 revoked if the individual holding the certificate is convicted of a
24 felony. The certificate shall only be revoked upon such conviction
25 becoming final.

26 (2) The Office of Probation Administration shall periodically review
27 the certificates listed in the database described in section 12 of this
28 act to identify certificates that are subject to revocation under this
29 section. Upon identifying a certificate of qualification for employment
30 that is subject to revocation, the office shall note in the database that
31 the certificate has been revoked, the reason for revocation, and the

1 effective date of revocation. The office shall notify the individual that
2 such certificate has been revoked. Notification shall be given in a form
3 and manner prescribed by the office.

4 **Sec. 12.** The Office of Probation Administration shall maintain a
5 database to track certificates of qualification for employment that have
6 been granted and revoked. Such database shall also track information
7 regarding the industries, occupations, and professions for which
8 certificates are used. The office shall annually create a report that
9 summarizes the information maintained in the database and shall publish
10 such report on its public Internet website no later than December 31 of
11 each year.

12 **Sec. 13.** A certificate of qualification for employment shall not:

13 (1) Preclude use of the conviction as evidence of commission of the
14 offense for purposes of determining whether an application filed or a
15 license issued under sections 71-1901 to 71-1906.01, the Child Care
16 Licensing Act, or the Children's Residential Facilities and Placing
17 Licensure Act, or a certificate issued under sections 79-806 to 79-815
18 should be denied, suspended, or revoked;

19 (2) Preclude use of the conviction as evidence of serious misconduct
20 or final conviction of or pleading guilty or nolo contendere to a felony
21 or misdemeanor for purposes of determining whether an application filed
22 or a certificate issued under sections 81-1401 to 81-1414.19 should be
23 denied, suspended, or revoked;

24 (3) Relieve a person who is convicted of an offense for which
25 registration is required under the Sex Offender Registration Act of the
26 duty to register and to comply with the terms of such act;

27 (4) Preclude use of the conviction for purposes of section 28-1206;

28 (5) Affect the right of a victim of a crime to prosecute or defend a
29 civil action;

30 (6) Affect the assessment or accumulation of points under section
31 60-4,182; or

1 (7) Affect eligibility for, or obligations relating to, a commercial
2 driver's license as defined in section 60-464.

3 **Sec. 14.** The State Court Administrator and the Office of Probation
4 Administration may adopt and promulgate rules and regulations to carry
5 out the Collateral Sanction Relief Act.

6 **Sec. 15.** Section 29-2264, Revised Statutes Cumulative Supplement,
7 2024, is amended to read:

8 29-2264 (1) Whenever any person is placed on probation by a court
9 and satisfactorily completes the conditions of his or her probation for
10 the entire period or is discharged from probation prior to the
11 termination of the period of probation, the sentencing court shall issue
12 an order releasing the offender from probation. Such order in all felony
13 cases shall provide notice that the person's voting rights are restored
14 upon completion of probation. The order shall include information on
15 restoring other civil rights through the pardon process, including
16 application to and hearing by the Board of Pardons.

17 (2) Whenever any person is convicted of an offense and is placed on
18 probation by the court, is sentenced to a fine only, or is sentenced to
19 community service, he or she may, after satisfactory fulfillment of the
20 conditions of probation for the entire period or after discharge from
21 probation prior to the termination of the period of probation and after
22 payment of any fine and completion of any community service, petition the
23 sentencing court to set aside the conviction.

24 (3)(a) Except as provided in subdivision (3)(b) of this section,
25 whenever any person is convicted of an offense and is sentenced other
26 than as provided in subsection (2) of this section, but is not sentenced
27 to a term of imprisonment of more than one year, such person may, after
28 completion of his or her sentence, petition the sentencing court to set
29 aside the conviction.

30 (b) A petition under subdivision (3)(a) of this section shall be
31 denied if filed:

1 (i) By any person with a criminal charge pending in any court in the
2 United States or in any other country;

3 (ii) During any period in which the person is required to register
4 under the Sex Offender Registration Act;

5 (iii) For any misdemeanor or felony motor vehicle offense under
6 section 28-306 or the Nebraska Rules of the Road; or

7 (iv) Within two years after a denial of a petition to set aside a
8 conviction under this subsection.

9 (4) In determining whether to set aside the conviction, the court
10 shall consider:

11 (a) The behavior of the offender after sentencing;

12 (b) The likelihood that the offender will not engage in further
13 criminal activity; ~~and~~

14 (c) The petitioner's criminal history and rehabilitation efforts,
15 including completion of educational or vocational programs, community
16 involvement, and compliance with probation, parole, or other supervision;

17 (d) The age and circumstances of the petitioner at the time of the
18 offense;

19 (e) Evidence of lawful behavior since completion of the petitioner's
20 sentence;

21 (f) The petitioner's employment history and prospects; and

22 (g) ~~(e)~~ Any other information the court considers relevant.

23 (5)(a) There is a rebuttable presumption that a petition for a set
24 aside shall be granted if:

25 (i) The conviction does not involve any Class I, IA, IB, IC, ID, or
26 II felony; and

27 (ii) The petitioner has not been convicted of an offense or charged
28 with an offense during the following periods:

29 (A) The period of five years preceding the date the petition would
30 be granted for a conviction involving one or more felonies; or

31 (B) The period of three years preceding the date the petition would

1 be granted for a conviction involving one or more misdemeanors and no
2 felonies.

3 (b) A petition that satisfies subdivision (5)(a) of this section
4 shall be denied only if the court finds by clear and convincing evidence
5 that the petitioner has not been rehabilitated or that granting the
6 petition would pose an unreasonable risk to the safety of the public or
7 any individual.

8 ~~(6) (5)~~ The court may grant the offender's petition and issue an
9 order setting aside the conviction when in the opinion of the court the
10 order will be in the best interest of the offender and consistent with
11 the public welfare. The order shall:

12 (a) Nullify the conviction;

13 (b) Remove all civil disabilities and disqualifications imposed as a
14 result of the conviction; and

15 (c) Notify the offender that he or she should consult with an
16 attorney regarding the effect of the order, if any, on the offender's
17 ability to possess a firearm under state or federal law.

18 ~~(7) (6)~~ The setting aside of a conviction in accordance with the
19 Nebraska Probation Administration Act shall not:

20 (a) Require the reinstatement of any office, employment, or position
21 which was previously held and lost or forfeited as a result of the
22 conviction;

23 (b) Preclude proof of a plea of guilty whenever such plea is
24 relevant to the determination of an issue involving the rights or
25 liabilities of someone other than the offender;

26 (c) Preclude proof of the conviction as evidence of the commission
27 of the offense whenever the fact of its commission is relevant for the
28 purpose of impeaching the offender as a witness, except that the order
29 setting aside the conviction may be introduced in evidence;

30 (d) Preclude use of the conviction for the purpose of determining
31 sentence on any subsequent conviction of a criminal offense;

1 (e) Preclude the proof of the conviction as evidence of the
2 commission of the offense in the event an offender is charged with a
3 subsequent offense and the penalty provided by law is increased if the
4 prior conviction is proved;

5 (f) Preclude the proof of the conviction to determine whether an
6 offender is eligible to have a subsequent conviction set aside in
7 accordance with the Nebraska Probation Administration Act;

8 (g) Preclude use of the conviction as evidence of commission of the
9 offense for purposes of determining whether an application filed or a
10 license issued under sections 71-1901 to 71-1906.01, the Child Care
11 Licensing Act, or the Children's Residential Facilities and Placing
12 Licensure Act or a certificate issued under sections 79-806 to 79-815
13 should be denied, suspended, or revoked;

14 (h) Preclude use of the conviction as evidence of serious misconduct
15 or final conviction of or pleading guilty or nolo contendere to a felony
16 or misdemeanor for purposes of determining whether an application filed
17 or a certificate issued under sections 81-1401 to 81-1414.19 should be
18 denied, suspended, or revoked;

19 (i) Preclude proof of the conviction as evidence whenever the fact
20 of the conviction is relevant to a determination of the registration
21 period under section 29-4005;

22 (j) Relieve a person who is convicted of an offense for which
23 registration is required under the Sex Offender Registration Act of the
24 duty to register and to comply with the terms of the act;

25 (k) Preclude use of the conviction for purposes of section 28-1206;

26 (l) Affect the right of a victim of a crime to prosecute or defend a
27 civil action;

28 (m) Affect the assessment or accumulation of points under section
29 60-4,182; or

30 (n) Affect eligibility for, or obligations relating to, a commercial
31 driver's license.

1 ~~(8)~~ ~~(7)~~ For purposes of this section, offense means any violation of
2 the criminal laws of this state or any political subdivision of this
3 state including, but not limited to, any felony, misdemeanor, infraction,
4 traffic infraction, violation of a city or village ordinance, or
5 violation of a county resolution.

6 ~~(9)~~ ~~(8)~~ Except as otherwise provided for the notice in subsection
7 (1) of this section, changes made to this section by Laws 2005, LB 713,
8 shall be retroactive in application and shall apply to all persons,
9 otherwise eligible in accordance with the provisions of this section,
10 whether convicted prior to, on, or subsequent to September 4, 2005.

11 ~~(10)~~ ~~(9)~~ The changes made to this section by Laws 2018, LB146, and
12 Laws 2020, LB881, and this legislative bill shall apply to all persons
13 otherwise eligible under this section, without regard to the date of the
14 conviction sought to be set aside.

15 **Sec. 16.** Section 29-3005, Revised Statutes Cumulative Supplement,
16 2024, is amended to read:

17 29-3005 (1) For purposes of this section:

18 (a) Prostitution-related offense includes:

19 (i) Prostitution under section 28-801, solicitation of prostitution
20 under section 28-801.01, keeping a place of prostitution under section
21 28-804, public indecency under section 28-806, or loitering for the
22 purpose of engaging in prostitution or related or similar offenses under
23 local ordinances; and

24 (ii) Attempt, conspiracy, solicitation, being an accessory to,
25 aiding and abetting, aiding the consummation of, or compounding a felony
26 with any of the offenses in subdivision (1)(a) of this section as the
27 underlying offense;

28 (b) Trafficker means a person who engages in sex trafficking or sex
29 trafficking of a minor as defined in section 28-830; and

30 (c) Victim of sex trafficking means a person subjected to sex
31 trafficking or sex trafficking of a minor, as those terms are defined in

1 section 28-830.

2 (2) At any time following the completion of sentence or disposition,
3 a victim of sex trafficking convicted in county or district court of, or
4 adjudicated in a juvenile court for, (a) a prostitution-related offense
5 committed while the movant was a victim of sex trafficking or proximately
6 caused by the movant's status as a victim of sex trafficking or (b) any
7 other offense committed as a direct result of, or proximately caused by,
8 the movant's status as a victim of sex trafficking, may file a motion to
9 set aside such conviction or adjudication. The motion shall be filed in
10 the county, district, or separate juvenile court of the county in which
11 the movant was convicted or adjudicated.

12 (3)(a) If the court finds that the movant was a victim of sex
13 trafficking at the time of the prostitution-related offense or finds that
14 the movant's participation in the prostitution-related offense was
15 proximately caused by the movant's status as a victim of sex trafficking,
16 the court shall grant the motion to set aside a conviction or an
17 adjudication for such prostitution-related offense.

18 (b) If the court finds that the movant's participation in an offense
19 other than a prostitution-related offense was a direct result of or
20 proximately caused by the movant's status as a victim of sex trafficking,
21 the court shall grant the motion to set aside a conviction or an
22 adjudication for such offense.

23 (4) Official documentation of a movant's status as a victim of sex
24 trafficking at the time of the prostitution-related offense or other
25 offense shall create a rebuttable presumption that the movant was a
26 victim of sex trafficking at the time of the prostitution-related offense
27 or other offense. Such official documentation shall not be required to
28 obtain relief under this section. Such official documentation includes:

29 (a) A copy of an official record, certification, or eligibility
30 letter from a federal, state, tribal, or local proceeding, including an
31 approval notice or an enforcement certification generated from a federal

1 immigration proceeding, that shows that the movant is a victim of sex
2 trafficking; or

3 (b) An affidavit or sworn testimony from an attorney, a member of
4 the clergy, a medical professional, a trained professional staff member
5 of a victim services organization, or other professional from whom the
6 movant has sought legal counsel or other assistance in addressing the
7 trauma associated with being a victim of sex trafficking.

8 (5) In considering whether the movant is a victim of sex
9 trafficking, the court may consider any other evidence the court
10 determines is of sufficient credibility and probative value, including an
11 affidavit or sworn testimony. Examples of such evidence include, but are
12 not limited to:

13 (a) Branding or other tattoos on the movant that identified him or
14 her as having a trafficker;

15 (b) Testimony or affidavits from those with firsthand knowledge of
16 the movant's involvement in the commercial sex trade such as solicitors
17 of commercial sex, family members, hotel workers, and other individuals
18 trafficked by the same individual or group of individuals who trafficked
19 the movant;

20 (c) Financial records showing profits from the commercial sex trade,
21 such as records of hotel stays, employment at indoor venues such as
22 massage parlors, bottle clubs, or strip clubs, or employment at an escort
23 service;

24 (d) Internet listings, print advertisements, or business cards used
25 to promote the movant for commercial sex; or

26 (e) Email, text, or voicemail records between the movant, the
27 trafficker, or solicitors of sex that reveal aspects of the sex trade
28 such as behavior patterns, meeting times, or payments or examples of the
29 trafficker exerting force, fraud, or coercion over the movant.

30 (6) Upon request of a movant, any hearing relating to the motion
31 shall be conducted in camera. The rules of evidence shall not apply at

1 any hearing relating to the motion.

2 (7) An order setting aside a conviction or an adjudication under
3 this section shall have the same effect as an order setting aside a
4 conviction as provided in subsections (6) ~~(5)~~ and (7) ~~(6)~~ of section
5 29-2264.

6 **Sec. 17.** Original sections 29-2264 and 29-3005, Revised Statutes
7 Cumulative Supplement, 2024, are repealed.