

ONE HUNDRED NINTH LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 299CA

PROPOSED CONSTITUTIONAL AMENDMENT

Introduced by McKinney, 11.

Read first time January 13, 2026

Committee: Judiciary

1 THE MEMBERS OF THE ONE HUNDRED NINTH LEGISLATURE OF NEBRASKA, SECOND
2 SESSION, RESOLVE THAT:

3 **Section 1.** At the general election in November 2026, the following
4 proposed amendment to the Constitution of Nebraska shall be submitted to
5 the electors of the State of Nebraska for approval or rejection:

6 To amend Article IV, section 13, and to add a new section 29 to
7 Article IV:

8 **IV-13** The Legislature shall provide by law for the establishment of
9 a Board of Parole and the qualifications of its members. Said board, or a
10 majority thereof, shall have power to grant paroles after conviction and
11 judgment, under such conditions as may be prescribed by law, for any
12 offenses committed against the criminal laws of this state except treason
13 and cases of impeachment. The Governor, Attorney General and Secretary of
14 State, sitting as a board, shall have power to remit fines and
15 forfeitures and to grant respites, reprieves, or pardons ~~, or~~
16 ~~commutations~~ in all cases of conviction for offenses against the laws of
17 the state, except treason and cases of impeachment. The Board of Parole
18 may advise the Governor, Attorney General and Secretary of State on the
19 merits of any application for remission, respite, reprieve, or pardon ~~or~~
20 ~~commutation~~ but such advice shall not be binding on them. The Governor
21 shall have power to suspend the execution of the sentence imposed for
22 treason until the case can be reported to the Legislature at its next
23 session, when the Legislature shall either grant a pardon, or commute the

1 sentence or direct the execution, or grant a further reprieve.

2 **IV-29** The power to commute any sentence for an offense against the
3 criminal laws of this state, except treason and cases of impeachment,
4 shall be vested in the Nebraska Board of Commutation. The board shall
5 consist of seven members appointed by the Governor and confirmed by the
6 Legislature. The Governor shall appoint the members on a nonpartisan
7 basis. The board's members shall include individuals with expertise in
8 mental health, restorative justice, criminal law, law enforcement, and
9 lived experience of incarceration and victimization. The Legislature
10 shall provide by law for the board's procedures and its members' terms
11 and qualifications.

12 **Sec. 2.** The proposed amendment shall be submitted to the electors
13 in the manner prescribed by the Constitution of Nebraska, Article XVI,
14 section 1, with the following ballot language:

15 A constitutional amendment to transfer the power to commute criminal
16 sentences from the Board of Pardons to a new Nebraska Board of
17 Commutation.

18 For

19 Against.