

LEGISLATIVE BILL 112

Approved by the Governor April 8, 1977

Introduced by Stoney, 4

AN ACT to amend section 29-901.05, Reissue Revised Statutes of Nebraska, 1943, relating to bail and its incidents; to provide procedures for setting up bail schedules; and to repeal the original section.

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

Section 1. That section 29-901.05, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

29-901.05. [1] It shall be the duty of the county court judges and municipal court judges, if any, in each county to prepare and adopt, by a majority vote, a schedule of bail for all misdemeanor offenses and such other offenses as the judges deem necessary. It shall contain a list of such offenses and the amounts of bail applicable thereto as the judges determine to be appropriate. If the schedule does not list all misdemeanor and other offenses specifically, it shall contain a general clause for misdemeanors and a separate one for any other offenses providing for designated amounts of bail as the judges of the county determine to be appropriate for all such offenses. The schedule of bail may be revised from time to time by the judges of the county, and the presiding county court judge at each county seat shall call not more than two meetings nor less than one meeting each year of all county court judges and municipal court judges, if any, in the county for the purpose of establishing or revising a countywide uniform bail schedule. A copy of the schedule shall be sent to the officer in charge of the county jail and to the officer in charge of each city jail within the county.

[2] When bail has been set by a judge for a particular offense or offender, any sheriff or other peace officer may take bail in accordance with the provisions of section 29-901 and release the offender to appear in accordance with the conditions of the bail bond, the notice to appear, or the summons. Such officer shall give a receipt to the offender for the bail so taken and within a reasonable time deposit such bail with the clerk of the court having jurisdiction of the offense.

Sec. 2. That original section 29-901.05,  
Reissue Revised Statutes of Nebraska, 1943, is repealed.