

One Hundred Second Legislature - Second Session - 2012

Introducer's Statement of Intent

LB728

Chairperson: Senator Brad Ashford

Committee: Judiciary

Date of Hearing: February 15, 2012

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 728 would provide transparency in the process by which the Attorney General distributes funds received as a result of out-of-court settlements. Under the bill, all money received by the state from an out-of-court settlement, court order, or judgment shall by default be distributed in accordance with Article VII, Section 5 of the Nebraska Constitution. This section generally provides that fines and penalties for violations of Nebraska law are to be "appropriated exclusively to the use and support of the common schools".

In the event that a court order or judgment provides that such money is not to be distributed in accordance with Article VII, Section 5, the court order or judgment must provide a specific fund created by the Legislature to which to credit the money.

LB 728 would also restore legislative oversight to the State Settlement Cash Fund and the State Settlement Trust Fund.

Principal Introducer: _____

Senator Heath Mello