

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 607

Introduced by Pirsch, 4.

Read first time January 23, 2013

Committee: Judiciary

A BILL

1 FOR AN ACT relating to domestic violence; to amend section 42-929,
2 Reissue Revised Statutes of Nebraska; to change
3 provisions relating to protection order violations and
4 conditions of release violations; and to repeal the
5 original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 42-929, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 42-929 (1) A peace officer making an arrest pursuant to
4 section 42-928 shall take such person into custody and take such
5 person before a judge of the county court or the court which issued
6 the protection order. At such time the ~~court~~ judge shall establish
7 the conditions of such person's release from custody, including the
8 determination of bond or recognizance, as the case may be. The ~~court~~
9 judge shall issue an order directing that such person shall have no
10 contact with the alleged victim of the abuse or violation. The judge
11 may also on his or her own motion, a motion from the prosecutor, or
12 on request of the alleged victim, issue an ex parte temporary
13 protection order as provided in section 42-925, except that an ex
14 parte temporary protection order authorized under this subsection
15 shall remain in effect until the person is convicted or acquitted, a
16 plea is entered into, the charge dismissed, or upon the judge's order
17 after hearing and the show-cause hearing shall be held within seven
18 days after receipt of the request for a show-cause hearing.

19 (2) If the judge receives an application alleging that
20 the person has violated the conditions of release and the judge finds
21 that probable cause exists that the conditions of release have been
22 violated, the judge shall issue an arrest warrant for the person
23 directing that the person be brought immediately before the judge.

24 Sec. 2. Original section 42-929, Reissue Revised Statutes
25 of Nebraska, is repealed.