

AMENDMENTS TO LB 509

(Amendments to AM2074)

1 1. Insert the following new sections:

2 "Section 1. Section 28-101, Revised Statutes Supplement,
3 1999, is amended to read:

4 28-101. Sections 28-101 to 28-1348 and section 9 of this
5 act shall be known and may be cited as the Nebraska Criminal Code.

6 Sec. 5. Section 29-2204.01, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 29-2204.01. (1) In any criminal proceeding in which a
9 sentence of confinement has been imposed and the particular law
10 under which such sentence was pronounced is thereafter amended to
11 decrease the maximum period of confinement which may be imposed,
12 then any person sentenced under the former law shall be entitled to
13 his or her discharge from custody when he or she has served the
14 maximum period of confinement authorized by the new law,
15 notwithstanding the fact that the court may have ordered a longer
16 period of confinement under the authority of the former law.

17 (2) Subsection (1) of this section does not apply to
18 criminal proceedings in which a sentence of death has been imposed.
19 The punishment for a prohibited act subject to a penalty of death
20 that is committed (a) on or after the effective date of an
21 amendatory act that mitigates the punishment for such prohibited
22 act but (b) prior to the entry of a final judgment against a
23 defendant convicted of committing such prohibited act shall not be

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1 reduced to the punishment provided in the amendatory act but shall
2 remain subject to the punishment in effect at the time of
3 commission of the prohibited act.

4 Sec. 9. The changes to the Nebraska Criminal Code
5 adopted by this legislative bill shall not apply to any offense
6 committed prior to the effective date of this act. Such an offense
7 shall be construed and punished according to the provisions of law
8 existing at the time of the commission thereof in the same manner
9 as if this act had not been enacted."

10 2. On page 6, line 10, after the first comma insert
11 "29-2204.01,"; in line 11 strike "and"; and in line 12 after the
12 third comma insert "and section 28-101, Revised Statutes
13 Supplement, 1999,".

14 3. Renumber the remaining sections accordingly.