

AMENDMENTS TO LB 1115

1 1. Strike the original sections and insert the following
2 new sections:

3 "Section 1. The Legislature finds and declares that drug
4 use contributes to crime in Nebraska, costs millions of dollars in
5 lost productivity, and contributes to the burden placed upon law
6 enforcement, court, and correction systems in Nebraska.

7 The Legislature also finds and declares that drug court
8 programs are effective in reducing recidivism of criminal behavior
9 of persons who participate in and complete drug court programs.
10 The Legislature recognizes that a drug court program offers a
11 person charged with certain offenses an alternative component of
12 the traditional criminal justice or juvenile justice proceedings.

13 Sec. 2. For purposes of sections 1 to 4 of this act,
14 drug court program means a program supervised by a court, subject
15 to any rules promulgated by the Supreme Court for procedures to be
16 implemented in the administration of such program within the court
17 system, that has special calendars or dockets designed to achieve a
18 reduction in substance-abuse and recidivism of criminal behavior
19 among nonviolent, substance abusing offenders by increasing their
20 likelihood for successful rehabilitation through early, continuous,
21 and intense judicially supervised treatment, mandatory periodic
22 drug testing, case management, and the use of appropriate sanctions
23 and other rehabilitation services.

24 Sec. 3. In those jurisdictions where a drug court

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1 program has been or will be created, the drug court program's local
2 governing body may enter into interlocal agreements with local and
3 state agencies for implementation and management of the drug court
4 program and may provide funds in advance of the rendition of drug
5 court program services.

6 Sec. 4. In a case involving criminal activity in which
7 the defendant is participating in a court-ordered drug treatment
8 program, a judge of any court of this state may:

9 (1) Order drug testing for the defendant;

10 (2) Impose jail time as a sanction for noncompliance of
11 the drug treatment program; or

12 (3) Impose any other condition deemed reasonably
13 necessary to assure compliance with the drug treatment program.".