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FLOOR DEBATE

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eliminates the language of the bill that referred to civil remedies. LB 276, as originally drafted, amended the criminal code and provided for civil remedies for victims. LB 276 primarily addresses the criminal process and because of that, and how the state pursues sanctions against violators who commit identity theft, your Judiciary Committee felt it better to amend the criminal code and reference the current restitution process deleting the civil process. However, just to clarify one point, for the record, under current law nothing precludes or prevents a victim of identity theft from pursuing a private civil action against a defendant for theft or various other torts in recovering any loss that the victim can prove has been...has been sustained. A victim can pursue a civil case against a defendant regardless of the outcome or existence of a criminal case. The amendment eliminates that section of the bill that provided victims with a copy of the court order in any criminal case, and a copy of any police reports. The amendment eliminates those provisions as it is not...they're not necessary. Court orders are currently public records and are open to public inspection and copying. Victims can receive copies of court records and other documents in the court file, including any police reports, in order to clear their credit history. The remainder of the bill is, as it was presented by Senator Redfield, and the proposed amendments are meant to improve upon that work. Your Judiciary Committee adopted the amendment unanimously, 8 to 0, and advanced the bill unanimously, 8 to 0. I urge the advancement...the adoption of the committee amendment and the advancement of the bill. Thank you.

SENATOR COORDSEN: Amendment to the committee amendment, Mr. Clerk?

ASSISTANT CLERK: Mr. President, I do. Senator Redfield would move to amend the committee amendment. (AM3111, Legislative Journal pages 957-958.)

SENATOR COORDSEN: Senator Redfield, to open on your amendment, please.

SENATOR REDFIELD: Thank you, Mr. President. Members of the