

LEGISLATURE OF NEBRASKA
NINETY-EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1055

Introduced by Brown, 6

Read first time January 13, 2004

Committee: Judiciary

A BILL

1 FOR AN ACT relating to the Uniform Controlled Substances Act; to
2 amend section 28-401.01, Revised Statutes Supplement,
3 2002, and section 28-101, Revised Statutes Supplement,
4 2003; to require a chemical analysis fee from a convicted
5 person as prescribed; and to repeal the original
6 sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 28-101, Revised Statutes Supplement,
2 2003, is amended to read:

3 28-101. Sections 28-101 to 28-1350 and section 3 of this
4 act shall be known and may be cited as the Nebraska Criminal Code.

5 Sec. 2. Section 28-401.01, Revised Statutes Supplement,
6 2002, is amended to read:

7 28-401.01. Sections 28-401 to 28-456 and section 3 of
8 this act shall be known and may be cited as the Uniform Controlled
9 Substances Act.

10 Sec. 3. Any person convicted of violating the Uniform
11 Controlled Substances Act shall be assessed, as part of the court
12 costs, the fee charged by a laboratory for the analysis of the
13 substance taken as evidence in the case, if the analysis was
14 actually made. The court shall determine whether the cost of such
15 analysis was incurred by the state and whether the cost should be
16 waived. The cost shall not exceed fifty dollars for any individual
17 case.

18 Sec. 4. Original section 28-401.01, Revised Statutes
19 Supplement, 2002, and section 28-101, Revised Statutes Supplement,
20 2003, are repealed.