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LB 1199

in AM3082 to read "an individual required to be supervised." That again is found on page 103, line 13. There was another issue raised, a question regarding the definitions of personality disorder and mental illness for purposes of the Sex Offender Commitment Act. What our proposed solution in this amendment is, the definition, of course, is clarified. The change is found on page 100 in lines 4 through 13. The definition of dangerous sex offender is separated into two distinct standards; one for the mentally ill and one for individuals with personality disorders. There was also a concern that people who could not be treated could be released from commitment. In the committee amendment, the standard for discharging a person was finding that, quote, (a) a cause no longer exists for the care of treatment of the subject or (b) a less restrictive treatment alternative exists for the subject. That was found in page 88 (sic), lines 2 through 13 (sic) of the committee amendment. Our solution to that problem, we amended the language to clarify that the person's release is based on the threat to the public posed by that sex offender. The new language says that a person may be discharged only if "(a) the subject's mental illness or personality disorder has been treated or managed to the extent that the subject"--and this is the key--"no longer poses a threat to the public." And (b), "a less restrictive treatment alternative exists for the subject which does not increase the risk that the subject will commit another sex offense." So again, we're keeping these folks in, civilly committed until they no longer pose a threat and that there is no increase in the risk that the subject will commit another sex offense. That's found on page 88, lines 10 through 15. Also, the question was raised on General File, the phrase in the committee amendment "of the individual's liberty or conscience." It was stricken on page 102, lines 17 through 18 of the committee amendment...Senator Synowiecki is handing me some information; I appreciate that, Senator Synowiecki...was stricken on page 102, lines 17 through 18 of the committee amendment because it was undefined and not necessary. We did strike that. There was a concern that the notice provisions regarding the release of sex offenders from incarceration and civil commitment did not address sex offenders committed under the Developmentally Disordered Court Ordered Custody Act. The solution to that, the amendment includes the language in the