

AMENDMENTS TO LB50
(Amendments to E&R amendments, ER35)

Introduced by Wayne, 13.

1 1. Strike section 33 and insert the following new section:

2 Sec. 33. Section 83-1,110, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 83-1,110 (1) Every committed offender shall be eligible for parole
5 upon the earliest of the following:

6 (a) When when the offender has served one-half the minimum term of
7 his or her sentence as provided in sections 83-1,107 and 83-1,108; -

8 (b) For a committed offender serving a maximum term of twenty years
9 or less, two years prior to the offender's mandatory discharge date; or

10 (c) For a committed offender serving a maximum term of more than
11 twenty years, when the offender has served eighty percent of the time
12 until the offender's mandatory discharge date.

13 (2) The board shall conduct a parole review not later than sixty
14 days prior to the date a committed offender becomes eligible for parole
15 as provided in this subsection, except that if a committed offender is
16 eligible for parole upon his or her commitment to the department, a
17 parole review shall occur as early as is practical. No such reduction of
18 sentence shall be applied to any sentence imposing a mandatory minimum
19 term.

20 (3)(a) This subsection applies to any (2) Every committed offender
21 sentenced to consecutive terms, whether received at the same time or at
22 any time during the original sentence, ~~shall be eligible for release on~~
23 ~~parole when the offender has served the total of one-half the minimum~~
24 ~~term as provided in sections 83-1,107 and 83-1,108.~~

25 (b) The maximum terms shall be added to compute the new maximum term
26 which, less good time, shall determine the date when discharge from the

1 custody of the state becomes mandatory.

2 (c) The committed offender shall be eligible for release on parole
3 upon the earliest of the following:

4 (i) When the offender has served the total of one-half the minimum
5 term as provided in sections 83-1,107 and 83-1,108;

6 (ii) For a committed offender serving a maximum term of twenty years
7 or less, two years prior to the offender's mandatory discharge date; or

8 (iii) For a committed offender serving a maximum term of more than
9 twenty years, when the offender has served eighty percent of the time
10 until the offender's mandatory discharge date.

11 2. On page 12 strike lines 2 through 8 and insert the following new
12 subdivision:

13 "(c) If the felony committed and at least one of the prior felony
14 convictions do not involve sexual contact, sexual penetration, the threat
15 to inflict serious bodily injury or death on another person, the
16 infliction of serious bodily injury on another person, a deadly or
17 dangerous weapon, or a firearm, the mandatory minimum term shall be three
18 years and the maximum term not more than the maximum term for the felony
19 committed or twenty years, whichever is greater. For this subdivision (1)
20 (c) to apply, no prior felony conviction may be a violation described in
21 subdivision (1)(a) of this section; and".

22 3. On page 19, line 6; page 33, line 6; and page 56, line 4, strike
23 "service" and insert "system".

24 4. On page 26, line 7, strike "and"; in line 8 strike the period and
25 insert "; and"; and after line 8 insert the following new subdivision:

26 "(f) Two criminal defense attorneys with at least ten years'
27 experience appointed by the Governor."

28 5. On page 51, line 14, strike "and" and insert "which"; in line 15
29 strike "Which includes" and insert "Includes"; and in line 21 strike
30 "Which consists" and insert "Consists".