

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 722**

Introduced by Coash, 27.

Read first time January 04, 2012

Committee: Judiciary

A BILL

1 FOR AN ACT relating to criminal procedure; to amend section 29-2206,  
2 Reissue Revised Statutes of Nebraska; to authorize fines  
3 or costs to be deducted from a defendant's cash bond; and  
4 to repeal the original section.  
5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 29-2206, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           29-2206 (1) In all cases in which courts or magistrates  
4 have now or may hereafter have the power to punish offenses, either  
5 in whole or in part, by requiring the offender to pay a ~~fine~~ finer or  
6 costs, or both, such courts or magistrates may make it a part of the  
7 sentence that the party stand committed and be imprisoned in the jail  
8 of the proper county until the ~~same is~~ finer or costs are paid or  
9 secured to be paid or the ~~defendant-offender~~ is otherwise discharged  
10 according to law.

11           (2) Notwithstanding ~~the provisions of~~ subsection (1) of  
12 this section, when any offender demonstrates to the court or  
13 magistrate that he or she is unable to pay such ~~fine~~ finer or costs  
14 in one lump sum, the court or magistrate shall make arrangements  
15 suitable to the court or magistrate and to the offender by which the  
16 offender may pay in installments. The court or magistrate shall enter  
17 an order specifying the terms of such arrangements and the dates on  
18 which payments are to be made. When the judgment of conviction  
19 provides for the suspension or revocation of a motor vehicle  
20 operator's license and the court authorizes the payment of a ~~fine~~  
21 finer or costs by installments, the revocation or suspension shall be  
22 effective as of the date of judgment.

23           (3) As an alternative to a lump-sum payment or as an  
24 alternative or in conjunction with installment payments, the court or  
25 magistrate may deduct fines or costs from a cash bond posted by the

1 offender.

2                   Sec. 2. Original section 29-2206, Reissue Revised

3 Statutes of Nebraska, is repealed.