

## LEGISLATIVE BILL 722

Approved by the Governor April 10, 2012

Introduced by Coash, 27.

FOR AN ACT relating to criminal procedure; to amend section 29-2206, Reissue Revised Statutes of Nebraska; to authorize fines or costs to be deducted from an offender's bond as prescribed; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

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

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

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

(3) As an alternative to a lump-sum payment or as an alternative or in conjunction with installment payments, the court or magistrate may deduct fines or costs from a bond posted by the offender to the extent that such bond is not otherwise encumbered by a valid lien, levy, execution, or assignment to counsel of record or the person who posted the bond.

Sec. 2. Original section 29-2206, Reissue Revised Statutes of Nebraska, is repealed.