

LEGISLATURE OF NEBRASKA

ONE HUNDRED THIRD LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 607**

Introduced by Pirsch, 4.

Read first time January 23, 2013

Committee: Judiciary

A BILL

1 FOR AN ACT relating to domestic violence; to amend section 42-929,  
2 Reissue Revised Statutes of Nebraska; to change  
3 provisions relating to protection order violations and  
4 conditions of release violations; and to repeal the  
5 original section.  
6 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 42-929, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   42-929 (1) A peace officer making an arrest pursuant to  
4 section 42-928 shall take such person into custody and take such  
5 person before a judge of the county court or the court which issued  
6 the protection order. At such time the ~~court-judge~~ shall establish  
7 the conditions of such person's release from custody, including the  
8 determination of bond or recognizance, as the case may be. The ~~court~~  
9 ~~judge~~ shall issue an order directing that such person shall have no  
10 contact with the alleged victim of the abuse or violation. ~~The judge~~  
11 ~~may also on his or her own motion, a motion from the prosecutor, or~~  
12 ~~on request of the alleged victim, issue an ex parte temporary~~  
13 ~~protection order as provided in section 42-925, except that an ex~~  
14 ~~parte temporary protection order authorized under this subsection~~  
15 ~~shall remain in effect until the person is convicted or acquitted, a~~  
16 ~~plea is entered into, the charge dismissed, or upon the judge's order~~  
17 ~~after hearing and the show-cause hearing shall be held within seven~~  
18 ~~days after receipt of the request for a show-cause hearing.~~

19                   (2) If the judge receives an application alleging that  
20 the person has violated the conditions of release and the judge finds  
21 that probable cause exists that the conditions of release have been  
22 violated, the judge shall issue an arrest warrant for the person  
23 directing that the person be brought immediately before the judge.

24                   Sec. 2. Original section 42-929, Reissue Revised Statutes  
25 of Nebraska, is repealed.