

AMENDMENTS TO LB843

(Amendments to Standing Committee amendments, AM2335)

Introduced by Harr, 8.

1 1. On page 2, after line 18, insert the following new subsection:

2 "(6)(a) A person charged with a violation of this section may file a
3 motion to dismiss the charge if the charge was the result of the person
4 having been a trafficking victim as defined in section 28-830. The motion
5 shall be in writing, describe the supporting evidence with particularity,
6 and include copies of any documents showing that the moving party is
7 entitled to relief under this subsection.

8 (b) The court shall hold a hearing on the motion, except that the
9 court may dismiss a motion without a hearing if the court finds that the
10 motion fails to assert a claim for which relief may be granted.

11 (c) The court shall grant the motion if it finds by a preponderance
12 of the evidence that:

13 (i) The moving party was charged with prostitution in violation of
14 this section; and

15 (ii) The charge was obtained as a result of the moving party's
16 having been a trafficking victim as defined in section 28-830.

17 (d) If the motion is granted, the court shall dismiss the charge."