

AMENDMENTS TO LB1148  
(Amendments to AM2637)

Introduced by Lathrop, 12.

1           1. Insert the following new section:

2           Sec. 11. Section 43-2,108.01, Revised Statutes Supplement, 2019, is  
3 amended to read:

4           43-2,108.01 (1) Sections 43-2,108.01 to 43-2,108.05 apply only to  
5 persons who were under the age of eighteen years when the offense took  
6 place and, after being taken into custody, arrested, cited in lieu of  
7 arrest, or referred for prosecution without citation, the county attorney  
8 or city attorney:

9           (a) Declined to file a juvenile petition or criminal complaint;

10           (b) Offered juvenile pretrial diversion, mediation, or restorative  
11 justice to the juvenile under the Nebraska Juvenile Code;

12           (c) Filed a juvenile court petition describing the juvenile as a  
13 juvenile described in subdivision (1), (2), (3)(b), or (4) of section  
14 43-247;

15           (d) Filed a criminal complaint in county court against the juvenile  
16 under state statute or city or village ordinance for misdemeanor or  
17 infraction possession of marijuana or misdemeanor or infraction  
18 possession of drug paraphernalia;

19           (e) Filed a criminal complaint in county court against the juvenile  
20 for any other misdemeanor or infraction under state statute or city or  
21 village ordinance, other than for a traffic offense, when all offenses in  
22 the case are waiveable offenses; or

23           (f) Filed a criminal complaint in county or district court for a  
24 felony offense under state law or a city or village ordinance that was  
25 subsequently transferred to juvenile court for ongoing jurisdiction.

26           (2) The changes made by Laws 2019, LB354, to the relief set forth in

1 sections 43-2,108.03 to 43-2,108.05 shall apply to all persons described  
2 in this section, as amended by Laws 2019, LB354, and this legislative  
3 bill, for offenses occurring prior to, on, or after September 1, 2019.

4 2. On page 2, lines 7 and 19; and page 4, lines 26 and 27, strike  
5 "federal or state law" and insert "state law, federal law, federal  
6 regulation, or applicable federal program provisions".

7 3. On page 25, line 31; and page 26, line 12, after "Center-Geneva"  
8 insert "or another facility being used as a youth rehabilitation and  
9 treatment center and operating pursuant to state law".

10 4. On page 34, line 31, strike "section 43-286" and insert "sections  
11 43-286 and 43-2,108.01".

12 5. Renumber the remaining sections accordingly.