

One Hundred Sixth Legislature - Second Session - 2020

Introducer's Statement of Intent

LB1007

Chairperson: Senator Steve Lathrop

Committee: Judiciary

Date of Hearing: January 31, 2020

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Current law provides that if a criminal defendant is found not competent to stand trial, but may be able to be restored to competency, that defendant is to be committed to a regional center or state hospital until he or she is restored to competency. LB1007 provides that if a defendant is found not competent, but is only facing criminal charges classified as a Class IV felony or a lesser offense, then the criminal charges are to be dismissed. The bill further directs that upon dismissal, the state may commence civil commitment proceedings or release the defendant from the custody of the criminal charge(s). LB1007 makes similar changes to the law for those instances in which a defendant becomes mentally incompetent after conviction but prior to sentencing.

Principal Introducer: _____

Senator Matt Hansen, M.