

**ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025**  
**COMMITTEE STATEMENT**  
**LB6**

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**Hearing Date:** Wednesday January 29, 2025  
**Committee On:** Judiciary  
**Introducer:** Bosn  
**One Liner:** Provide for a penalty enhancement for a controlled substances violation resulting in serious bodily injury or death

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**

<b>Aye:</b>	7	Senators Bosn, DeBoer, Hallstrom, Holdcroft, Rountree, Storer, Storm
<b>Nay:</b>	1	Senator McKinney
<b>Absent:</b>		
<b>Present Not Voting:</b>		

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**Testimony:**

**Proponents:**

Senator Carolyn Bosn  
Patrick Condon  
  
Sandra Allen  
Patrick Dempsey  
Robert Griffith  
Adam Wiblishhouser  
Joseph LeDuc

**Representing:**

Opening Presenter  
Lancaster County Attorney; Nebraska County Attorneys Association  
Attorney General's Office  
Omaha Police Officers Association  
Self  
Self  
Self

**Opponents:**

Sarah Newell  
  
Spike Eickholt  
Alex Dworak

**Representing:**

Nebraska Criminal Defense Attorneys Association;  
Lancaster County Public Defenders Office  
Nebraska Criminal Defense Attorneys Association  
Self

**Neutral:**

**Representing:**

\* ADA Accommodation Written Testimony

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**Summary of purpose and/or changes:**

Summary

LB 6 amends subsection (16) of section 28-416 of the Uniform Controlled Substances Act to provide for an enhanced

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penalty for any person convicted of a violation of subsection (1) of such section, by mandating that he or she be punished by the next higher penalty classification than the penalty prescribed in subsection (2), (7), (8), (9), or (10) of such section, if such violation resulted in the use of a controlled substance and directly and proximately caused the death of, or serious bodily injury to, another person. The bill further provides in no event shall an enhanced penalty under this subsection result in a penalty greater than a Class IB felony.

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Carolyn Bosn, Chairperson

