

**ONE HUNDRED NINTH LEGISLATURE - SECOND SESSION - 2026**  
**COMMITTEE STATEMENT**  
**LB817**

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**Hearing Date:** Thursday January 22, 2026  
**Committee On:** Judiciary  
**Introducer:** Storer  
**One Liner:** Enhance penalties for certain controlled substance offenses involving fentanyl

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

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**Vote Results:**

<b>Aye:</b>	5	Senators Bosn, Hallstrom, Holdcroft, Storer, Storm
<b>Nay:</b>	2	Senators McKinney, Rountree
<b>Absent:</b>		
<b>Present Not Voting:</b>	1	Senator DeBoer

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**Testimony:**

**Proponents:**

Senator Tanya Storer  
Jordan Osborne  
Marty Klein

**Representing:**

Opening Presenter  
Nebraska Attorney General's Office  
Hall County Attorney's Office

**Opponents:**

Spike Eickholt

**Representing:**

Nebraska Criminal Defense Attorneys Association;  
ACLU of Nebraska

**Neutral:**

**Representing:**

\* ADA Accommodation Written Testimony

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

Amends Section 28-416 of the Uniform Controlled Substances Act to add fentanyl to the list of controlled substances that if knowingly or intentionally manufactured, distributed, delivered, dispensed, or possessed with the intent to distribute either by itself, or in a mixture or substance containing a detectable amount of fentanyl, would be an unlawful violation subject to penalty depending on the quantity.

One hundred forty grams or more shall be guilty of a Class IB felony. At least twenty-eight grams but less than one hundred forty grams shall be guilty of a Class IC felony. Also, at least 10 grams but less than 28 grams is a Class ID felony.

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Carolyn Bosn, Chairperson

