

One Hundred Ninth Legislature - Second Session - 2026

Introducer's Statement of Intent

LB789

Chairperson:

Committee: Judiciary

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

LB789 adopts Nebraska's version of the federal "forfeiture by wrongdoing" hearsay exception. Modeled on Federal Rule of Evidence 804(b)(6), the bill allows statements of a witness to be admitted when the defendant intentionally caused or acquiesced in causing the witness's unavailability. This change aligns Nebraska evidence law with the federal standard and is particularly relevant in domestic violence cases, where intimidation or coercion may prevent a victim from testifying.

Principal Introducer: _____

Senator Carolyn Bosn