

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

March 29, 2006      LB 925

180 days in jail for persons granted probation. That's the changes that we are recommending in the Judiciary Committee amendment from the green copy of the bill relating to driving under the influence. Under that portion of the bill dealing with motor vehicle homicide, the increase in the penalty for the crime of motor vehicle homicide when the driver was under the influence of alcohol is reduced from a Class ID felony, which carries a penalty of up to 50 years in prison and has a mandatory minimum sentence of 3 years, to a Class II felony, which carries a potential sentence of 1 to 50 years. Current law punishes this crime as a Class III felony. The leaving the scene of the accident portion of the bill, the committee amendment adjusts the increase in the penalty for leaving the scene of an accident involving property damage. The penalty for the first offense is reduced from a Class I to a Class II misdemeanor. The penalty for a second conviction within 12 years is also reduced from a Class IV felony to a Class I misdemeanor. Currently, this crime is punished as a Class III misdemeanor for the first offense, and a Class II misdemeanor for a second or subsequent conviction within 12 years. The Judiciary Committee advanced LB 925 as amendment without opposition. I believe there was either one absent or one abstention. I would encourage the body to adopt this amendment. Senator Friend also handed out a chart entitled "DUI Penalty Chart" for LB 925 committee amendment, so you can see what we are doing, and Senator Friend is trying to target those repeat DUI offenders that have high blood alcohol contents by increasing the penalties on them, increasing the jail sentences on them. But again, his focus is limited to repeat offenders with high blood alcohol content. With that, I support the Judiciary Committee's amendment, and I would urge your adoption of the amendment, as well. If you have any questions, I'd be happy to answer them.

SENATOR CUDABACK: Thank you, Senator Bourne. You've heard the opening on the Judiciary Committee amendments. Mr. Clerk, amendment, please.

CLERK: Senator Hudkins would move to amend the committee amendments. (AM2774, Legislative Journal page 1116.)