

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 828

Introduced by Seiler, 33.

Read first time January 13, 2014

Committee:

A BILL

1 FOR AN ACT relating to criminal procedure; to amend sections 29-4201
2 and 29-4206, Reissue Revised Statutes of Nebraska; to
3 authorize county court and district court acceptance of
4 certain written waivers and pleas; to harmonize
5 provisions; and to repeal the original sections.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 29-4201, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 29-4201 It is the intent and purpose of sections 29-4201
4 to 29-4207 to authorize the usage of audiovisual court appearances
5 and certain ~~district court arraignments by writing~~ written waivers
6 and pleas in criminal proceedings consistent with the statutory and
7 constitutional rights guaranteed by the Constitution of the United
8 States and the Constitution of Nebraska.

9 Sec. 2. Section 29-4206, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 29-4206 The county courts and district courts may accept
12 a written waiver of preliminary hearing and a written waiver of
13 arraignment and plea of not guilty from any defendant. The ~~form~~ forms
14 shall contain the necessary consent and waiver of the right to a
15 physical appearance, shall be signed by the defendant and his or her
16 counsel of record, if any, and shall be filed with the clerk of the
17 court. A defendant's use of written forms under this section shall
18 not prevent his or her right to all other process, procedures, and
19 defenses allowed by state and federal law.

20 Sec. 3. Original sections 29-4201 and 29-4206, Reissue
21 Revised Statutes of Nebraska, are repealed.