

ONE HUNDRED FOURTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 39

Introduced by Seiler, 33; Bolz, 29; Chambers, 11; Krist, 10; Mello, 5;
Schumacher, 22.

PURPOSE: The purpose of this resolution is to examine the Nebraska Mental Health Commitment Act, the Sex Offender Commitment Act, and the Nebraska Treatment and Corrections Act in order to ensure that the evaluation procedures regarding potentially mentally ill and dangerous inmates and potentially dangerous sex offenders are clear and consistent. Such a review was recommended by the Legislative Performance Audit Committee in its report released on November 17, 2014, entitled "Nebraska Department of Correctional Services: Disciplinary Process, Programs, and Commitment Processes." This interim study shall include the following issues:

(1) Harmonizing and potentially amending certain statutes to ensure clarity and consistency of the definitions and procedures;

(2) Examining whether the Nebraska Mental Health Commitment Act would benefit from the more formal notification processes as contained in the Sex Offender Commitment Act; and

(3) Potentially clarifying definitions to ensure that any differences are intentional and desired.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.