

AMENDMENTS TO LB 377

Introduced by Ashford, 20

1           1. Strike the original sections and insert the following  
2 new sections:

3           Section 1. The Legislature finds that:

4           (1) Life is the most valuable possession of a human  
5 being. The state should exercise utmost care to protect its  
6 residents' lives from homicide, accident, and arbitrary taking by  
7 the state;

8           (2) The experience of this state with the death penalty  
9 has been fraught with errors, frustration, and delay due to  
10 constitutional mistakes in the statutes, defective legal procedures  
11 and implementation of the statutes, lack of uniformity in  
12 application, and inordinately heavy expenditures of money and time;

13           (3) The financial costs of attempting to implement the  
14 death penalty statutes are generally not justifiable in light of  
15 the other needs of this state and particularly because evidence  
16 does not establish that the death penalty effectively deters  
17 first-degree murder;

18           (4) The Legislature remains troubled by the lack of any  
19 meaningful procedure in the courts to ensure uniform application of  
20 the death penalty throughout the state despite the Legislature's  
21 express finding in 1978 of a radical lack of uniformity and a  
22 legislatively sponsored study in 2001 finding inequalities related  
23 to social and economic status;

1           (5) The history of attempts to carry out the death  
2 penalty in Nebraska demonstrates an inordinate burden on the  
3 justice system and on the lives of the innocent families and  
4 associates of both the victims and the convicted parties;

5           (6) A sentence of life imprisonment without parole,  
6 subject only to the constitutional power of the Board of Pardons,  
7 will almost always be preferable to the current capital punishment  
8 scheme. Unless the state in some extraordinary case can prove  
9 beyond a reasonable doubt that no reasonable and effective measures  
10 other than execution are available to protect the safety of its  
11 citizens, a sentence of life imprisonment without parole should be  
12 imposed; and

13           (7) The existing capital punishment scheme is a failure  
14 and has taken an unacceptable toll on the state's reputation for  
15 simple fairness, basic decency, and care for the dignity of human  
16 life. The state rejects the concept that by killing it can teach  
17 its residents not to kill.

18           Sec. 2. Section 28-105.01, Revised Statutes Cumulative  
19 Supplement, 2006, is amended to read:

20           28-105.01 (1) Notwithstanding any other provision of law,  
21 the death penalty shall not be imposed upon any person who was  
22 under the age of eighteen years at the time of the commission of  
23 the crime.

24           (2) Notwithstanding any other provision of law, the  
25 death penalty shall not be imposed upon any person with mental  
26 retardation.

27           (3) As used in subsection (2) of this section, mental

1 retardation means significantly subaverage general intellectual  
2 functioning existing concurrently with deficits in adaptive  
3 behavior. An intelligence quotient of seventy or below on  
4 a reliably administered intelligence quotient test shall be  
5 presumptive evidence of mental retardation.

6 (4) If (a) a jury renders a verdict finding in favor of  
7 the state on the effective security issue and a verdict finding the  
8 existence of one or more aggravating circumstances as provided in  
9 section 29-2520 or ~~(b)-(i)~~ (b) the information contains a notice of  
10 aggravation as provided in section 29-1603 and ~~(ii)~~ the defendant  
11 waives his or her right to a jury determination of the effective  
12 security issue and the alleged aggravating circumstances, the  
13 court shall hold a hearing prior to any sentencing determination  
14 proceeding as provided in section 29-2521 upon a verified motion  
15 of the defense requesting a ruling that the penalty of death  
16 be precluded under subsection (2) of this section. If the court  
17 finds, by a preponderance of the evidence, that the defendant is  
18 a person with mental retardation, the death sentence shall not be  
19 imposed. A ruling by the court that the evidence of diminished  
20 intelligence introduced by the defendant does not preclude the  
21 death penalty under subsection (2) of this section shall not  
22 restrict the defendant's opportunity to introduce such evidence  
23 at the sentencing determination proceeding as provided in section  
24 29-2521 or to argue that such evidence should be given mitigating  
25 significance.

26 Sec. 3. Section 29-2261, Revised Statutes Cumulative  
27 Supplement, 2006, is amended to read:

1                   29-2261 (1) Unless it is impractical to do so, when an  
2 offender has been convicted of a felony other than murder in the  
3 first degree, the court shall not impose sentence without first  
4 ordering a presentence investigation of the offender and according  
5 due consideration to a written report of such investigation. When  
6 an offender has been convicted of murder in the first degree and  
7 (a) a jury renders a verdict in favor of the state on the effective  
8 security issue and a verdict finding the existence of one or more  
9 aggravating circumstances as provided in section 29-2520 or ~~(b) (i)~~  
10 (b) the information contains a notice of aggravation as provided in  
11 section 29-1603 and ~~(ii)~~ the offender waives his or her right to  
12 a jury determination of the alleged aggravating circumstances, the  
13 court shall not commence the sentencing determination proceeding as  
14 provided in section 29-2521 without first ordering a presentence  
15 investigation of the offender and according due consideration to a  
16 written report of such investigation.

17                   (2) A court may order a presentence investigation in any  
18 case, except in cases in which an offender has been convicted  
19 of a Class IIIA misdemeanor, a Class IV misdemeanor, a Class V  
20 misdemeanor, a traffic infraction, or any corresponding city or  
21 village ordinance.

22                   (3) The presentence investigation and report shall  
23 include, when available, an analysis of the circumstances attending  
24 the commission of the crime, the offender's history of delinquency  
25 or criminality, physical and mental condition, family situation and  
26 background, economic status, education, occupation, and personal  
27 habits, and any other matters that the probation officer deems

1 relevant or the court directs to be included. All local and state  
2 police agencies and Department of Correctional Services adult  
3 correctional facilities shall furnish to the probation officer  
4 copies of such criminal records, in any such case referred to  
5 the probation officer by the court of proper jurisdiction, as the  
6 probation officer shall require without cost to the court or the  
7 probation officer.

8 Such investigation shall also include:

9 (a) Any written statements submitted to the county  
10 attorney by a victim; and

11 (b) Any written statements submitted to the probation  
12 officer by a victim.

13 (4) If there are no written statements submitted to the  
14 probation officer, he or she shall certify to the court that:

15 (a) He or she has attempted to contact the victim; and

16 (b) If he or she has contacted the victim, such officer  
17 offered to accept the written statements of the victim or to reduce  
18 such victim's oral statements to writing.

19 For purposes of subsections (3) and (4) of this section,  
20 the term victim shall be as defined in section 29-119.

21 (5) Before imposing sentence, the court may order the  
22 offender to submit to psychiatric observation and examination for  
23 a period of not exceeding sixty days or such longer period as the  
24 court determines to be necessary for that purpose. The offender  
25 may be remanded for this purpose to any available clinic or mental  
26 hospital, or the court may appoint a qualified psychiatrist to make  
27 the examination. The report of the examination shall be submitted

1 to the court.

2 (6) Any presentence report or psychiatric examination  
3 shall be privileged and shall not be disclosed directly or  
4 indirectly to anyone other than a judge, probation officers  
5 to whom an offender's file is duly transferred, the probation  
6 administrator or his or her designee, or others entitled by law  
7 to receive such information, including personnel and mental health  
8 professionals for the Nebraska State Patrol specifically assigned  
9 to sex offender registration and community notification for the  
10 sole purpose of using such report or examination for assessing  
11 risk and for community notification of registered sex offenders.  
12 For purposes of this subsection, mental health professional means  
13 (a) a practicing physician licensed to practice medicine in this  
14 state under the provisions of section 71-102, (b) a practicing  
15 psychologist licensed to engage in the practice of psychology in  
16 this state as provided in section 71-1,206.14, or (c) a practicing  
17 mental health professional licensed or certified in this state as  
18 provided in section 71-1,333. The court may permit inspection of  
19 the report or examination of parts thereof by the offender or his  
20 or her attorney, or other person having a proper interest therein,  
21 whenever the court finds it is in the best interest of a particular  
22 offender. The court may allow fair opportunity for an offender to  
23 provide additional information for the court's consideration.

24 (7) If an offender is sentenced to imprisonment, a copy  
25 of the report of any presentence investigation or psychiatric  
26 examination shall be transmitted immediately to the Department of  
27 Correctional Services. Upon request, the Board of Parole or the

1 Office of Parole Administration may receive a copy of the report  
2 from the department.

3 (8) Notwithstanding subsection (6) of this section, the  
4 Nebraska Commission on Law Enforcement and Criminal Justice under  
5 the direction and supervision of the Chief Justice of the Supreme  
6 Court shall have access to presentence investigations and reports  
7 for the sole purpose of carrying out the study required under  
8 subdivision (7) of section 81-1425. The commission shall treat such  
9 information as confidential, and nothing identifying any individual  
10 shall be released by the commission.

11 (9) Notwithstanding subsection (6) of this section, the  
12 Supreme Court or an agent of the Supreme Court acting under the  
13 direction and supervision of the Chief Justice shall have access to  
14 psychiatric examinations and presentence investigations and reports  
15 for research purposes. The Supreme Court and its agent shall  
16 treat such information as confidential and nothing identifying any  
17 individual shall be released.

18 Sec. 4. Section 29-2282, Reissue Revised Statutes of  
19 Nebraska, is amended to read:

20 29-2282 In determining restitution, if the offense  
21 results in damage, destruction, or loss of property, the court may  
22 require: (1) Return of the property to the victim, if possible;  
23 (2) payment of the reasonable value of repairing the property,  
24 including property returned by the defendant; or (3) payment of  
25 the reasonable replacement value of the property, if return or  
26 repair is impossible, impractical, or inadequate. If the offense  
27 results in bodily injury, the court may require payment of

1 necessary medical care, including, but not limited to, physical or  
2 psychological treatment and therapy, and payment for income lost  
3 due to such bodily injury. If the offense results in the death of  
4 the victim, the court may require payment to be made to the estate  
5 of the victim for any pain and suffering of the victim caused by  
6 the offense, for the cost of any medical care prior to death, and  
7 for funeral and burial expenses.

8           Sec. 5. Section 29-2519, Revised Statutes Cumulative  
9 Supplement, 2006, is amended to read:

10           29-2519 (1) The Legislature hereby finds that it is  
11 reasonable and necessary to establish mandatory standards for  
12 the imposition of the sentence of death; that the imposition of  
13 the death penalty in every instance of the commission of the  
14 crimes specified in section 28-303 fails to allow for mitigating  
15 factors which may dictate against the penalty of death; and  
16 that the rational imposition of the death sentence requires the  
17 establishment of specific legislative guidelines to be applied in  
18 individual cases by the court. The Legislature therefor determines  
19 that the death penalty should be imposed only for the crimes  
20 set forth in section 28-303 and, in addition, that it shall only  
21 be imposed in those instances when the aggravating circumstances  
22 existing in connection with the crime outweigh the mitigating  
23 circumstances, as set forth in sections 29-2520 to 29-2524.

24           (2) The Legislature hereby finds and declares that:

25           (a) The decision of the United States Supreme Court in  
26 Ring v. Arizona (2002) requires that Nebraska revise its sentencing  
27 process in order to ensure that rights of persons accused of murder



1 in the first degree, as required under the Sixth and Fourteenth  
2 Amendments of the United States Constitution, are protected;

3 (b) The changes made by Laws 2002, LB 1, Ninety-seventh  
4 Legislature, Third Special Session, are intended to be procedural  
5 only in nature and ameliorative of the state's prior procedures  
6 for determination of aggravating circumstances in the sentencing  
7 process for murder in the first degree;

8 (c) The changes made by Laws 2002, LB 1, Ninety-seventh  
9 Legislature, Third Special Session, are not intended to alter the  
10 substantive provisions of sections 28-303 and 29-2520 to 29-2524;

11 (d) The aggravating circumstances defined in section  
12 29-2523 have been determined by the United States Supreme  
13 Court to be "functional equivalents of elements of a greater  
14 offense" for purposes of the defendant's Sixth Amendment right,  
15 as applied to the states under the Fourteenth Amendment, to a  
16 jury determination of such aggravating circumstances, but the  
17 aggravating circumstances are not intended to constitute elements  
18 of the crime generally unless subsequently so required by the state  
19 or federal constitution; and

20 (e) To the extent that such can be applied in accordance  
21 with state and federal constitutional requirements, it is the  
22 intent of the Legislature that the changes to the murder in  
23 the first degree sentencing process made by Laws 2002, LB 1,  
24 Ninety-seventh Legislature, Third Special Session, shall apply to  
25 any murder in the first degree sentencing proceeding commencing on  
26 or after November 23, 2002.

27 (3) The Legislature further finds and declares that:

1           (a) A sentence of death is appropriate only when  
2 necessary to protect society, therefor, no person shall be  
3 sentenced to death or executed unless the finder of fact has  
4 determined that such person poses a present and substantial risk  
5 to the lives of others that cannot reasonably and effectively be  
6 controlled by institutional security measures; and

7           (b) To the extent that such can be applied in accordance  
8 with state and federal constitutional requirements, it is the  
9 intent of the Legislature that the changes to the murder in the  
10 first degree sentencing process made by this legislative bill to  
11 sections 28-105.01, 29-2261, 29-2282, 29-2519, 29-2520, 29-2521,  
12 and 29-2521.05, shall apply to any murder in the first degree  
13 sentencing proceeding commencing on or after the effective date of  
14 this act.

15           Sec. 6. Section 29-2520, Revised Statutes Cumulative  
16 Supplement, 2006, is amended to read:

17           29-2520 (1) Whenever any person is found guilty of a  
18 violation of section 28-303 and the information contains a notice  
19 of aggravation as provided in section 29-1603, the district court  
20 shall, as soon as practicable, fix a date for ~~an aggravation a~~  
21 hearing to determine the alleged aggravating circumstances. whether  
22 such person poses a present and substantial risk to the lives  
23 of others that cannot reasonably and effectively be controlled  
24 by institutional security measures. This determination shall be  
25 referred to as the effective security issue. The hearing shall also  
26 determine the alleged aggravating circumstances, if appropriate. If  
27 no notice of aggravation has been filed, the district court shall

1 enter a sentence of life imprisonment without parole.

2 (2) Unless the defendant waives his or her right to a  
3 jury determination of the effective security issue and alleged  
4 aggravating circumstances, such determination shall be made by:

5 (a) The jury which determined the defendant's guilt; or

6 (b) A jury impaneled for purposes of the determination of  
7 the effective security issue and alleged aggravating circumstances  
8 if:

9 (i) The defendant waived his or her right to a jury at  
10 the trial of guilt and either was convicted before a judge or was  
11 convicted on a plea of guilty or nolo contendere; or

12 (ii) The jury which determined the defendant's guilt has  
13 been discharged.

14 A jury required by subdivision (2)(b) of this section  
15 shall be impaneled in the manner provided in sections 29-2004 to  
16 29-2010.

17 (3) The defendant may waive his or her right to a  
18 jury determination of the effective security issue and alleged  
19 aggravating circumstances. The court shall accept the waiver after  
20 determining that it is made freely, voluntarily, and knowingly. If  
21 the defendant waives his or her right to a jury determination of  
22 the effective security issue and alleged aggravating circumstances,  
23 such determination shall be made by a panel of judges as a part  
24 of the sentencing determination proceeding as provided in section  
25 29-2521.

26 (4)(a) At ~~an aggravation~~ a hearing before a jury for  
27 the determination of the effective security issue and alleged

1   aggravating circumstances, the state may present evidence as to  
2   the existence of the effective security issue and aggravating  
3   circumstances alleged in the information. The Nebraska Evidence  
4   Rules shall apply at the ~~aggravation~~ hearing.

5           (b) Alternate jurors who would otherwise be discharged  
6   upon final submission of the cause to the jury shall be retained  
7   during the deliberation of the defendant's guilt but shall not  
8   participate in such deliberations. Such alternate jurors shall  
9   serve during the ~~aggravation~~ hearing as provided in section 29-2004  
10   but shall not participate in the jury's deliberations under this  
11   subsection.

12           (c) If the jury serving at the ~~aggravation~~ hearing is  
13   the jury which determined the defendant's guilt, the jury may  
14   consider evidence received at the trial of guilt for purposes  
15   of reaching its verdict as to the existence or nonexistence of  
16   aggravating circumstances in addition to the evidence received at  
17   the ~~aggravation~~ hearing.

18           (d) After the presentation and receipt of evidence at  
19   the ~~aggravation~~ hearing, the state and the defendant or his or  
20   her counsel may present arguments before the jury as to the  
21   effective security issue and existence or nonexistence of the  
22   alleged aggravating circumstances.

23           (e) The court shall instruct the members of the jury as  
24   to their duty as jurors, the manner in which they shall determine  
25   the effective security issue, the definitions of the aggravating  
26   circumstances alleged in the information, and the state's burden  
27   to prove ~~the existence of each~~ that the offender poses a present

1 and substantial risk to the lives of others that cannot reasonably  
2 and effectively be controlled by institutional security measures  
3 and the existence of each aggravating circumstance alleged in the  
4 information beyond a reasonable doubt.

5 (f) The jury at the ~~aggravation~~ hearing shall deliberate  
6 and return a verdict as to the effective security issue before  
7 considering the existence or nonexistence of each alleged  
8 aggravating circumstance. If the jury unanimously finds beyond a  
9 reasonable doubt that the offender poses a present and substantial  
10 risk to the lives of others that cannot reasonably and effectively  
11 be controlled by institutional security measures, it shall then  
12 proceed to consider the existence of aggravating circumstances.  
13 If the jury does not unanimously find beyond a reasonable doubt  
14 in favor of the state on the effective security issue, it shall  
15 report its verdict and be discharged and the court shall sentence  
16 the defendant to life imprisonment without parole. Each aggravating  
17 circumstance shall be proved beyond a reasonable doubt. Each  
18 verdict with respect to each alleged aggravating circumstance shall  
19 be unanimous. If the jury is unable to reach a unanimous verdict  
20 with respect to an aggravating circumstance, such aggravating  
21 circumstance shall not be weighed in the sentencing determination  
22 proceeding as provided in section 29-2521.

23 (g) Upon rendering its verdict as to the determination of  
24 the aggravating circumstances, the jury shall be discharged.

25 (h) If no aggravating circumstance is found to exist, the  
26 court shall enter a sentence of life imprisonment without parole.  
27 If one or more aggravating circumstances are found to exist, the

1 court shall convene a panel of three judges to hold a hearing  
2 to receive evidence of mitigation and sentence excessiveness  
3 or disproportionality as provided in subsection (3) of section  
4 29-2521.

5 Sec. 7. Section 29-2521, Revised Statutes Cumulative  
6 Supplement, 2006, is amended to read:

7 29-2521 (1) When a person has been found guilty of murder  
8 in the first degree and (a) a jury renders a verdict finding in  
9 favor of the state on the effective security issue and a verdict  
10 finding the existence of one or more aggravating circumstances as  
11 provided in section 29-2520 or ~~(b)-(i)~~ (b) the information contains  
12 a notice of aggravation as provided in section 29-1603 and ~~(ii)~~  
13 such person waives his or her right to a jury determination of the  
14 effective security issue and the alleged aggravating circumstances,  
15 the sentence of such person shall be determined by:

16 (a) A panel of three judges, including the judge who  
17 presided at the trial of guilt or who accepted the plea and two  
18 additional active district court judges named at random by the  
19 Chief Justice of the Supreme Court. The judge who presided at  
20 the trial of guilt or who accepted the plea shall act as the  
21 presiding judge for the sentencing determination proceeding under  
22 this section; or

23 (b) If the Chief Justice of the Supreme Court has  
24 determined that the judge who presided at the trial of guilt or  
25 who accepted the plea is disabled or disqualified after receiving  
26 a suggestion of such disability or disqualification from the clerk  
27 of the court in which the finding of guilty was entered, a panel

1 of three active district court judges named at random by the Chief  
2 Justice of the Supreme Court. The Chief Justice of the Supreme  
3 Court shall name one member of the panel at random to act as the  
4 presiding judge for the sentencing determination proceeding under  
5 this section.

6 (2) In the sentencing determination proceeding before a  
7 panel of judges when the right to a jury determination of the  
8 effective security issue and the alleged aggravating circumstances  
9 has been waived, the panel shall, as soon as practicable after  
10 receipt of the written report resulting from the presentence  
11 investigation ordered as provided in section 29-2261, hold a  
12 hearing. At such hearing, evidence may be presented as to any  
13 matter that the presiding judge deems relevant to sentence and  
14 shall include matters relating to the effective security issue and  
15 the aggravating circumstances alleged in the information, to any of  
16 the mitigating circumstances set forth in section 29-2523, and to  
17 sentence excessiveness or disproportionality. The Nebraska Evidence  
18 Rules shall apply to evidence relating to the effective security  
19 issue and aggravating circumstances. ~~Each~~ The effective security  
20 issue and each aggravating circumstance shall be proved beyond  
21 a reasonable doubt. Any evidence at the sentencing determination  
22 proceeding which the presiding judge deems to have probative value  
23 may be received. The state and the defendant or his or her counsel  
24 shall be permitted to present argument for or against sentence of  
25 death. The presiding judge shall set forth the general order of  
26 procedure at the outset of the sentencing determination proceeding.  
27 The panel shall make written findings of fact based upon the trial

1 of guilt and the sentencing determination proceeding, identifying  
2 its findings on the effective security issue and which, if any,  
3 of the alleged aggravating circumstances have been proven to exist  
4 beyond a reasonable doubt. Each finding of fact with respect to the  
5 effective security issue and each alleged aggravating circumstance  
6 shall be unanimous. If the panel is unable to reach a unanimous  
7 finding with respect to the effective security issue, the panel  
8 shall impose a sentence of life imprisonment without parole. If the  
9 panel is unable to reach a unanimous finding of fact with respect  
10 to an aggravating circumstance, such aggravating circumstance shall  
11 not be weighed in the sentencing determination proceeding. After  
12 the presentation and receipt of evidence and argument, the panel  
13 shall determine an appropriate sentence as provided in section  
14 29-2522.

15 (3) When a jury renders a verdict finding in favor  
16 of the state on the effective security issue and finding the  
17 existence of one or more aggravating circumstances as provided  
18 in section 29-2520, the panel of judges shall, as soon as  
19 practicable after receipt of the written report resulting from the  
20 presentence investigation ordered as provided in section 29-2261,  
21 hold a hearing to receive evidence of mitigation and sentence  
22 excessiveness or disproportionality. Evidence may be presented  
23 as to any matter that the presiding judge deems relevant to  
24 (a) mitigation, including, but not limited to, the mitigating  
25 circumstances set forth in section 29-2523, and (b) sentence  
26 excessiveness or disproportionality as provided in subdivision (3)  
27 of section 29-2522. Any such evidence which the presiding judge



1 deems to have probative value may be received. The state and the  
2 defendant and his or her counsel shall be permitted to present  
3 argument for or against sentence of death. The presiding judge  
4 shall set forth the general order of procedure at the outset of  
5 the sentencing determination proceeding. After the presentation and  
6 receipt of evidence and argument, the panel shall determine an  
7 appropriate sentence as provided in section 29-2522.

8           Sec. 8. Section 29-2521.05, Revised Statutes Cumulative  
9 Supplement, 2006, is amended to read:

10           29-2521.05 The verdict of a jury as to the effective  
11 security issue and existence or nonexistence of the alleged  
12 aggravating circumstances or, when the right to a jury  
13 determination of the effective security issue and alleged  
14 aggravating circumstances has been waived, the determination of a  
15 panel of judges with respect thereto, shall not be an appealable  
16 order or judgment of the district court, and no appeal may be  
17 taken directly from such ~~verdict or determination.~~ verdicts or  
18 determinations.

19           Sec. 9. The changes made by this legislative bill to  
20 sections 28-105.01, 29-2261, 29-2282, 29-2519, 29-2520, 29-2521,  
21 and 29-2521.05 shall not (1) limit the discretionary authority  
22 of the sentencing court to order restitution as part of any  
23 sentence other than death or life imprisonment without parole  
24 or (2) alter the discretion and authority of the Department  
25 of Correctional Services to determine the appropriate security  
26 measures and conditions during the confinement of any committed  
27 offender.

1                   Sec. 10. Section 29-2524, Revised Statutes Cumulative  
2 Supplement, 2006, is amended to read:

3                   29-2524 Nothing in sections 25-1140.09, 28-303, 28-313,  
4 and 29-2519 to 29-2546 and sections 1 and 9 of this act shall be in  
5 any way deemed to repeal or limit existing procedures for automatic  
6 review of capital cases, nor shall they in any way limit the right  
7 of the Supreme Court to reduce a sentence of death to a sentence of  
8 life imprisonment without parole in accordance with the provisions  
9 of section 29-2308, nor shall they limit the right of the Board  
10 of Pardons to commute any sentence of death to a sentence of life  
11 imprisonment without parole.

12                  Sec. 11. Original section 29-2282, Reissue Revised  
13 Statutes of Nebraska, and sections 28-105.01, 29-2261, 29-2519,  
14 29-2520, 29-2521, 29-2521.05, and 29-2524, Revised Statutes  
15 Cumulative Supplement, 2006, are repealed.