

**ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015**  
**COMMITTEE STATEMENT**  
**LB504**

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**Hearing Date:** Thursday February 05, 2015  
**Committee On:** Judiciary  
**Introducer:** Krist  
**One Liner:** Change provisions relating to presentence reports and examinations

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**  
**Aye:** 7 Senators Coash, Ebke, Krist, Morfeld, Pansing Brooks, Seiler, Williams  
**Nay:**  
**Absent:**  
**Present Not Voting:** 1 Senator Chambers

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**Verbal Testimony:**

<b>Proponents:</b>	<b>Representing:</b>
SEN. BOB KRIST	INTRODUCER
JOHN BERRY	NCDAA
BILL MUELLER	NE STATE BAR

<b>Opponents:</b>	<b>Representing:</b>
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<b>Neutral:</b>	<b>Representing:</b>
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**Summary of purpose and/or changes:**

LB504 would amend 29-2261 to require a copy of the presentence investigation (PSI) to be provided to defense counsel and the county attorney at least seven days before sentencing.

A prosecutor is already included in the category of "others entitled by law to receive" the information in the presentence investigation report, and a defendant may examine a PSI with his or her attorney, subject to the court's supervision and redaction of any confidential or privileged information. However, defense counsel is not entitled to receive a copy.

LB504 would require the court or probation to provide the PSI to defense counsel, but would still allow the court to order redaction of certain information upon a showing by a preponderance of the evidence that a redaction is "warranted in the interests of public safety".

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**Explanation of amendments:**

AM291 clarifies that the court can email the PSI to the defense counsel or prosecuting attorney; a hard copy is not required.

On page 4, line 8 of the green copy, the amendment adds: Upon application by counsel, the court shall provide a  
On page 4, line 11, the amendment adds: The copy of the report or examination may be provided electronically.

