

# **One Hundred Fourth Legislature - First Session - 2015**

## **Introducer's Statement of Intent**

**LB173**

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**Chairperson: Senator Les Seiler**

**Committee: Judiciary**

**Date of Hearing: February 11, 2015**

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

This bill limits the use of the habitual criminal enhancement statute by applying it only to violent crimes, enumerated in subsection (b) on page 2, and certain motor vehicle homicide crimes.

The enhancement would be applicable if two previous convictions, as well as the current conviction, are for any of the enumerated offenses. The offender would still be subject to a possible sentence of 10 to 60 years, but the minimum term no longer would be mandatory.

A mandatory sentence must be served day-for-day with no allowance for good time, which means that there can be no eligibility for parole consideration during a mandatory minimum sentence.

Removal of the mandatory minimum allows for judicial discretion in fitting the sentence to the crime and the particular offender.

**Principal Introducer:** \_\_\_\_\_

**Senator Ernie Chambers**