

ONE HUNDRED EIGHTH LEGISLATURE - SECOND SESSION - 2024
COMMITTEE STATEMENT
LB870

Hearing Date: Friday January 26, 2024
Committee On: Judiciary
Introducer: Cavanaugh, M.
One Liner: Provide for additional rights of notification, information, and preservation of evidence under the Sexual Assault Victims' Bill of Rights Act

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

Vote Results:

Aye: 8 Senators Blood, Bosn, DeBoer, DeKay, Holdcroft, Ibach, McKinney, Wayne
Nay:
Absent:
Present Not Voting:

Testimony:

Proponents:

Senator Machaela Cavanaugh, M.
Erin Feichtinger
Melanie Kirk
Don Wesely

Representing:

Opening Presenter
Women's Fund of Omaha
Nebraska Coalition to End Sexual Assault and Domestic Violence
Nebraska Nurses Association

Opponents:

Representing:

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

Section 29-4313 currently provides for certain rights to victims of sexual assault related to sexual assault forensic evidence and responsibilities to law enforcement related to the retention and analysis of such evidence.

LB870 would amend this section to require notice to a victim no less than sixty days before evidence is to be destroyed upon expiration of the statute of limitations. The bill would also amend this section to require law enforcement to preserve the evidence for an additional 20 years upon request of the victim.

LB870 would also amend 29-4313 to entitle a victim to notice of a change in the status of their case.

Explanation of amendments:



AM2533 would make two changes.

First, a law enforcement agency would not be required to provide notice of intended destruction or disposal of sexual assault forensic evidence when the evidence was provided anonymously.

Second, the victim's right to be informed of a change of status in their case would be initiated by the victim's request.

Justin Wayne, Chairperson

