

## LEGISLATIVE BILL 665

Approved by the Governor February 27, 1987

Introduced by Judiciary Committee, Chizek, 31,  
Chairperson; Korshoj, 16; Conway, 17;  
Ashford, 6; Nelson, 35; Chambers, 11;  
McFarland, 28; Pirsch, 10

AN ACT relating to criminal procedure; to amend sections 29-2703 and 29-2709, Reissue Revised Statutes of Nebraska, 1943; to eliminate provisions related to recognizances to keep the peace; to authorize the waiver of certain costs; to eliminate provisions relating to the naming of witnesses on warrants of commitment; and to repeal the original sections, and also sections 29-511, 29-512, and 29-2205, Reissue Revised Statutes of Nebraska, 1943.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 29-2703, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

29-2703. No costs shall be paid from the county treasury in any case of prosecution for a misdemeanor, ~~or for surety to keep the peace~~, except as provided in section 29-2709.

Sec. 2. That section 29-2709, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

29-2709. When any costs in misdemeanor, ~~peace~~ ~~warrant~~ traffic, or juvenile cases in county court are found by a county judge to be uncollectible for any reason, including the dismissal of the case, the judge, in his or her discretion, may enter an order waiving such portion of the costs as by law would be paid over by the court to the State Treasurer for deposit in the ~~state~~ General Fund. In all cases brought by or with the consent of the county attorney, all such uncollectible costs not waived shall be certified by the clerk of the court to the county clerk, who shall present the bills therefor to the county board, ~~at the first meeting thereof in the months of April and October of each year.~~ The county board shall pay from the county general fund all such bills found by the board to be lawful. In all cases brought under city or village ordinance, all such uncollectible costs not waived shall be certified to the

appropriate city or village officer authorized to receive claims, who shall present the bills therefor to the governing body of the city or village in the same manner as other claims. Such governing body shall pay from the general fund of the city or village all such bills as are found to be lawful.

Sec. 3. That original sections 29-2703 and 29-2709, Reissue Revised Statutes of Nebraska, 1943, and also sections 29-511, 29-512, and 29-2205, Reissue Revised Statutes of Nebraska, 1943, are repealed.