

## LEGISLATIVE BILL 829

Approved by the Governor February 7, 1990

Introduced by Labeledz, 5, Chairperson, Executive Board

AN ACT relating to criminal procedure; to amend sections 29-2020 and 29-3004, Reissue Revised Statutes of Nebraska, 1943; to eliminate references to repealed sections; to harmonize provisions with prior acts of the Legislature relating to requesting a bill of exceptions and to compensation of attorneys in postconviction proceedings; to eliminate a provision providing for the payment of the costs of incarceration by certain prisoners which terminated on July 1, 1988; and to repeal the original sections, and also section 29-1006, Reissue Revised Statutes of Nebraska, 1943.

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

Section 1. That section 29-2020, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

29-2020. ~~In~~ Except as provided in section 29-2525 for cases when the punishment is capital, in all criminal cases where when a defendant shall feel himself feels aggrieved by any opinion or decision of the court, he or she may order a bill of exceptions. The and the ordering, preparing, signing, filing, correcting, and amending thereof of the bill of exceptions shall be governed by the rules established in such matters in civil cases. In criminal cases where the sentence is capital punishment, the notice required by section 29-2306-02 shall constitute an order for the bill of exceptions, which order shall be filed by the court reporter within two months after receipt of such notice.

Sec. 2. That section 29-3004, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

29-3004. The district court may appoint an attorney or attorneys, not to exceed two attorneys exceeding two, to represent the prisoners in all proceedings under the provisions of sections 29-3001 to 29-3004, and fix their compensation as provided in section 29-1803-03. The district court, upon hearing the application, shall fix reasonable expenses and fees, and the county board shall allow payment to the attorney or

attorneys in the full amount determined by the court.

Sec. 3. That original sections 29-2020 and 29-3004, Reissue Revised Statutes of Nebraska, 1943, and also section 29-1006, Reissue Revised Statutes of Nebraska, 1943, are repealed.