

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 980

Introduced by McKinney, 11.

Read first time January 05, 2024

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to the death penalty; to amend section 83-970,
- 2 Revised Statutes Cumulative Supplement, 2022; to change provisions
- 3 relating to persons to be present at an execution; and to repeal the
- 4 original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 83-970, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 83-970 (1) Besides the Director of Correctional Services and those
4 persons required to be present under the execution protocol, the
5 following persons, and no others, except as provided in section 83-971,
6 may be present at the execution: (a) ~~(1)~~ The member of the clergy in
7 attendance upon the convicted person; (b) ~~(2)~~ no more than three persons
8 selected by the convicted person; (c) ~~(3)~~ no more than three persons
9 representing the victim or victims of the crime; (d) two members of the
10 Legislature designated by the Executive Board of the Legislative Council;
11 and (e) ~~(4)~~ such other persons, not exceeding six in number, as the
12 director may designate. At least two persons designated by the director
13 shall be professional members of the Nebraska news media.

14 (2) Except as provided in subsection (3) of this section, the
15 Director of Correctional Services and those persons required to be
16 present under the execution protocol:

17 (a) Shall continuously witness the execution process from the moment
18 the convicted person enters the execution chamber until the convicted
19 person is declared dead or the execution is halted; and

20 (b) Shall not authorize or permit any person to obstruct, limit,
21 shield, or otherwise impede the witnessing or viewing of an execution by
22 any person permitted or required to be present at such execution.

23 (3) A person administering or conducting the execution under the
24 execution protocol may, upon request, wear a mask or otherwise conceal
25 such person's identity from the witnesses.

26 Sec. 2. Original section 83-970, Revised Statutes Cumulative
27 Supplement, 2022, is repealed.