

ONE HUNDRED EIGHTH LEGISLATURE

SECOND SESSION

**LEGISLATIVE RESOLUTION 280CA**

PROPOSED CONSTITUTIONAL AMENDMENT

Introduced by Wayne, 13.

Read first time January 16, 2024

Committee: Judiciary

1 THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA,  
2 SECOND SESSION, RESOLVE THAT:

3 Section 1. At the general election in November 2024, the following  
4 proposed amendment to the Constitution of Nebraska shall be submitted to  
5 the electors of the State of Nebraska for approval or rejection:

6 To amend Article IV, section 13:

7 IV-13 The Legislature shall provide by law for the establishment of  
8 a Board of Parole and the qualifications of its members. Said board, or a  
9 majority thereof, shall have power to grant paroles after conviction and  
10 judgment, under such conditions as may be prescribed by law, for any  
11 offenses committed against the criminal laws of this state except treason  
12 and cases of impeachment. The Governor, ~~Attorney General and Secretary of~~  
13 ~~State~~, sitting as a board, shall have power to remit fines and  
14 forfeitures and to grant respites, reprieves, pardons, or commutations in  
15 all cases of conviction for offenses against the laws of the state,  
16 except treason and cases of impeachment. The Board of Parole may advise  
17 the Governor, ~~Attorney General and Secretary of State~~ on the merits of  
18 any application for remission, respite, reprieve, pardon or commutation  
19 but such advice shall not be binding on them. The Governor shall have  
20 power to suspend the execution of the sentence imposed for treason until  
21 the case can be reported to the Legislature at its next session, when the  
22 Legislature shall either grant a pardon, or commute the sentence or  
23 direct the execution, or grant a further reprieve.

1           Sec. 2. The proposed amendment shall be submitted to the electors  
2 in the manner prescribed by the Constitution of Nebraska, Article XVI,  
3 section 1, with the following ballot language:

4           A constitutional amendment to remove the Attorney General and  
5 Secretary of State from the Board of Pardons.

6           For

7           Against.