

LEGISLATIVE BILL 292

Approved by the Governor April 2, 1979

Introduced by Clark, 47

AN ACT to amend section 29-2262, Revised Statutes Supplement, 1978, relating to criminal procedure; to provide an additional probation condition; and to repeal the original section. Be it enacted by the people of the State of Nebraska,

Section 1. That section 29-2262, Revised Statutes Supplement, 1978, be amended to read as follows:

29-2262. (1) When a court sentences an offender to probation, it shall attach such reasonable conditions as it deems necessary or likely to insure that the offender will lead a law-abiding life.

(2) The court, as a condition of its sentence, may require the offender:

- (a) To refrain from unlawful conduct;
- (b) To be confined periodically in the county jail or to return to custody after specified hours, but not to exceed ninety days;
- (c) To meet his family responsibilities;
- (d) To devote himself to a specific employment or occupation;
- (e) To undergo medical or psychiatric treatment and to enter and remain in a specified institution for that purpose;
- (f) To pursue a prescribed secular course of study or vocational training;
- (g) To attend or reside in a facility established for the instruction, recreation or residence of persons on probation;
- (h) To refrain from frequenting unlawful or disreputable places or consorting with disreputable persons;
- (i) To have in his possession no firearm or other dangerous weapon unless granted written permission;

(j) To make restitution of the fruits of his crime or to make such reparation as the court determines to be appropriate for the loss or damage caused thereby;

(k) To remain within the jurisdiction of the court and to notify the court or the probation officer of any change in his address or his employment;

(l) To report as directed to the court or a probation officer and to permit the officer to visit his home;

(m) To pay a fine in one or more payments, as ordered;

(n) To work, in lieu of or in addition to any fine, on public streets, parks, or other public property for a period not exceeding twenty working days. Such work shall be under the supervision of the probation officer or a law enforcement officer in the jurisdiction in which the work is performed;

(n) To pay for blood, urine, or breath alcohol tests, psychological evaluations, and rehabilitative services required in the identification, evaluation, and treatment of offenders if such offender has the financial ability to pay for such services; or

(o) To satisfy any other conditions reasonably related to the rehabilitation of the offender.

(3) In all cases in which the offender is guilty of assault or battery and the victim is the offender's spouse, a condition of probation shall be mandatory counseling as provided by sections 42-901 to 42-927.

Sec. 2. That original section 29-2262, Revised Statutes Supplement, 1978, is repealed.