



STATE OF NEBRASKA

ROBERT B. EVNEN
SECRETARY OF STATE

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Nebraska Secretary of State included in constitutionality case

The Nebraska Attorney General filed a lawsuit that challenges the constitutionality of two sections of [LB50](#), a criminal justice reform bill enacted by the Nebraska Legislature in June 2023.

The lawsuit was filed under a [Nebraska statute](#) that provides a way to test the constitutionality of a law. Under that statute, the Nebraska Secretary of State has the duty to defend the constitutionality of the act in court. State law allows the Secretary of State to hire an outside attorney to argue the case.

“Our office will adhere to the procedure established by the Nebraska Legislature,” Secretary Evnen said. “Though we are fulfilling our statutory duty, no one should conclude that this means that I disagree with the Attorney General’s opinion.”

Considering this issue is now a pending case, the Secretary of State’s office will not have further comment outside of court proceedings.