

AMENDMENTS TO LB539

Introduced by Ebke, 32.

1 1. Insert the following new sections:

2 Section 1. Section 47-901, Revised Statutes Cumulative Supplement,  
3 2016, is amended to read:

4 47-901 Sections 47-901 to 47-919 and section 4 of this act shall be  
5 known and may be cited as the Office of Inspector General of the Nebraska  
6 Correctional System Act.

7 Sec. 3. Section 47-912, Revised Statutes Cumulative Supplement,  
8 2016, is amended to read:

9 47-912 (1) Reports of investigations conducted by the office shall  
10 not be distributed beyond the entity that is the subject of the report  
11 without the consent of the Inspector General.

12 (2) The office shall redact confidential information before  
13 distributing a report of an investigation. The office may disclose  
14 confidential information to the chairperson of the Judiciary Committee of  
15 the Legislature when such disclosure is, in the judgment of the Public  
16 Counsel, desirable to keep the chairperson informed of important events,  
17 issues, and developments in the Nebraska correctional system.

18 (3)(a) A summarized final report based on an investigation may be  
19 publicly released in order to bring awareness to systemic issues.

20 (b) Such report shall be released only:

21 (i) After a disclosure is made to the chairperson pursuant to  
22 subsection (2) of this section; and

23 (ii) If a determination is made by the Inspector General with the  
24 chairperson that doing so would be in the best interest of the public.

25 (c) If there is disagreement about whether releasing the report  
26 would be in the best interest of the public, the chairperson of the  
27 Executive Board of the Legislative Council may be asked to make the final

1 decision.

2       (4) ~~(3)~~ Records and documents, regardless of physical form, that are  
3 obtained or produced by the office in the course of an investigation are  
4 not public records for purposes of sections 84-712 to 84-712.09. Reports  
5 of investigations conducted by the office are not public records for  
6 purposes of sections 84-712 to 84-712.09.

7       (5) ~~(4)~~ The office may withhold the identity of sources of  
8 information to protect from retaliation any person who files a complaint  
9 or provides information in good faith pursuant to the Office of Inspector  
10 General of the Nebraska Correctional System Act.

11       Sec. 4. Any person who has authority to recommend, approve, direct,  
12 or otherwise take or affect personnel action shall not, with respect to  
13 such authority:

14       (1) Take personnel action against an employee because of the  
15 disclosure of information by the employee to the office which the  
16 employee reasonably believes evidences wrongdoing under the Office of  
17 Inspector General of the Nebraska Correctional System Act;

18       (2) Take personnel action against an employee as a reprisal for the  
19 submission of an allegation of wrongdoing under the act to the office by  
20 such employee; or

21       (3) Take personnel action against an employee as a reprisal for  
22 providing information or testimony pursuant to an investigation by the  
23 office.

24       2. Amend the repealer and renumber the remaining section  
25 accordingly.