

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 894

Introduced by Ibach, 44; Hughes, 24.

Read first time January 03, 2024

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to county sheriffs; to amend section
- 2 23-1701.01, Reissue Revised Statutes of Nebraska; to change law
- 3 enforcement officer certification requirements for candidates for
- 4 sheriff as prescribed; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 23-1701.01, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 23-1701.01 (1) Any candidate for the office of sheriff shall possess
4 ~~who does not have~~ a law enforcement officer certificate or diploma issued
5 by the Nebraska Commission on Law Enforcement and Criminal Justice and
6 shall submit with the candidate filing form required by section 32-607 a
7 standardized letter issued by the director of the Nebraska Law
8 Enforcement Training Center certifying that the candidate was duly issued
9 such certificate or diploma. ~~has:~~

10 ~~(a) Within one calendar year prior to the deadline for filing the~~
11 ~~candidate filing form, passed a background investigation performed by the~~
12 ~~Nebraska Law Enforcement Training Center based on a check of his or her~~
13 ~~criminal history record information maintained by the Federal Bureau of~~
14 ~~Investigation through the Nebraska State Patrol. The candidate who has~~
15 ~~not passed a background investigation shall apply for the background~~
16 ~~investigation at least thirty days prior to the filing deadline for the~~
17 ~~candidate filing form; and~~

18 ~~(b) Received a minimum combined score on the reading comprehension~~
19 ~~and English language portions of an adult basic education examination~~
20 ~~designated by the Nebraska Law Enforcement Training Center.~~

21 (2) Each sheriff shall attend the Sheriff's Certification Course
22 conducted by the Nebraska Law Enforcement Training Center and obtain
23 receive a certificate awarded by the Nebraska Commission on Law
24 Enforcement and Criminal Justice attesting to satisfactory completion of
25 such course ~~the Sheriff's Certification Course~~ within eight months after
26 taking office unless such sheriff has already been awarded a certificate
27 by the commission ~~Nebraska Commission on Law Enforcement and Criminal~~
28 ~~Justice~~ attesting to satisfactory completion of such course or unless
29 such sheriff can demonstrate to the Nebraska Police Standards Advisory
30 Council that his or her previous training and education is such that he
31 or she will professionally discharge the duties of the office. Any

1 sheriff in office prior to July 19, 1980, shall not be required to obtain
2 a certificate awarded by the commission attesting to satisfactory
3 completion of the Sheriff's Certification Course but shall otherwise be
4 subject to this section.

5 (3) Each sheriff shall attend continuing education as provided in
6 section 81-1414.07 each year following the first year of such sheriff's
7 term of office.

8 (4) Unless a sheriff is able to show good cause for not complying
9 with subsection (2) or (3) of this section or obtains a waiver of the
10 training requirements from the council, any sheriff who violates
11 subsection (2) or (3) of this section shall be punished by a fine equal
12 to such sheriff's monthly salary. Each month in which such violation
13 occurs shall constitute a separate offense.

14 Sec. 2. Original section 23-1701.01, Reissue Revised Statutes of
15 Nebraska, is repealed.