

E AND R AMENDMENTS TO LB 50

Introduced by Ballard, 21, Chairman Enrollment and Review

1           1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:

3           Section 1. Section 24-1302, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5           24-1302 (1) For purposes of this section, problem solving court  
6 means a drug, veterans, mental health, driving under the influence,  
7 reentry, young adult, or other problem solving court.

8           (2) A district, county, or juvenile court may establish a problem  
9 solving court, subject to the Supreme Court's rules. A problem solving  
10 court shall function within the existing structure of the court system.  
11 The goals of a problem solving court shall be consistent with any  
12 relevant standards adopted by the United States Department of Justice and  
13 the National Association of Drug Court Professionals, as such standards  
14 existed on January 1, 2023.

15           (3) An individual may participate in a problem solving court as a  
16 condition of probation, as a sentence imposed by a court, or as otherwise  
17 provided by the Supreme Court's rules.

18           (4) Problem (1) Drug, veterans, mental health, driving under the  
19 influence, reentry, and other problem solving courts shall be subject to  
20 rules which shall be promulgated by the Supreme Court for procedures to  
21 be implemented in the administration of such courts.

22           (5) (2) It is the intent of the Legislature that funds be  
23 appropriated separately to the Supreme Court such that each judicial  
24 district may operate at least one drug, veterans, mental health, driving  
25 under the influence, reentry, and young adult problem solving court. The  
26 State Court Administrator shall ensure that each judicial district has at  
27 least one of such courts by January 1, 2024 for each of the problem

1 ~~solving courts to carry out this section and section 24-1301.~~

2 (6) The State Court Administrator shall track and evaluate outcomes  
3 of problem solving courts. On or before June 1, 2024, and on or before  
4 each June 1 thereafter, the State Court Administrator shall  
5 electronically submit a report to the Legislature regarding the impact of  
6 problem solving courts on recidivism rates in the state. The report shall  
7 also include rates of return to court and program completion. The report  
8 shall identify judicial districts that are underserved by problem solving  
9 courts and what services or funding are needed to properly serve such  
10 districts.

11 Sec. 2. (1) The State Court Administrator shall create a pilot  
12 program to utilize physical space and information technology resources  
13 within Nebraska courthouses to serve as points of access for virtual  
14 behavioral health services for court-involved individuals.

15 (2) The pilot program shall be limited to a single probation  
16 district. Such district shall be chosen by the State Court Administrator  
17 in consultation with the probation administrator.

18 (3) The purpose of the program is to provide access to safe,  
19 confidential, and reliable behavioral health treatment via telehealth for  
20 individuals involved with the criminal justice system, either as  
21 defendants, probationers, or victims in a criminal proceeding.

22 (4) On or before June 1, 2024, the State Court Administrator shall  
23 electronically submit a report to the Judiciary Committee of the  
24 Legislature regarding the pilot program.

25 Sec. 3. Section 27-803, Revised Statutes Cumulative Supplement,  
26 2022, is amended to read:

27 27-803 Subject to the provisions of section 27-403, the following  
28 are not excluded by the hearsay rule, even though the declarant is  
29 available as a witness:

30 (1) A statement describing or explaining an event or condition, made  
31 while or immediately after the declarant perceived it;

1 (2) A statement relating to a startling event or condition made  
2 while the declarant was under the stress of excitement caused by the  
3 event or condition;

4 (3) A statement of the declarant's then existing state of mind,  
5 emotion, sensation, or physical condition (such as intent, plan, motive,  
6 design, mental feeling, pain, and bodily health), but not including a  
7 statement of memory or belief to prove the fact remembered or believed  
8 unless it relates to the execution, revocation, identification, or terms  
9 of declarant's will;

10 (4) Statements made for purposes of medical diagnosis or treatment  
11 and describing medical history, or past or present symptoms, pain, or  
12 sensations, or the inception or general character of the cause or  
13 external source thereof insofar as reasonably pertinent to diagnosis or  
14 treatment;

15 (5) A memorandum or record concerning a matter about which a witness  
16 once had knowledge but now has insufficient recollection to enable him or  
17 her to testify fully and accurately, shown to have been made or adopted  
18 by the witness when the matter was fresh in his or her memory and to  
19 reflect that knowledge correctly. If admitted, the memorandum or record  
20 may be read into evidence but may not itself be received as an exhibit  
21 unless offered by an adverse party;

22 (6)(a) A memorandum, report, record, or data compilation, in any  
23 form, of acts, events, or conditions, other than opinions or diagnoses,  
24 made at or near the time of such acts, events, or conditions, in the  
25 course of a regularly conducted activity, if it was the regular course of  
26 such activity to make such memorandum, report, record, or data  
27 compilation at the time of such act, event, or condition, or within a  
28 reasonable time thereafter, as shown by the testimony of the custodian or  
29 other qualified witness or by a certification that complies with  
30 subdivision (11) or (12) of section 27-902 or with a statute permitting  
31 certification, unless the source of information or method or

1 circumstances of preparation indicate lack of trustworthiness. The  
2 circumstances of the making of such memorandum, report, record, or data  
3 compilation, including lack of personal knowledge by the entrant or  
4 maker, may be shown to affect its weight.

5 (b) A memorandum, report, record, or data compilation, in any form,  
6 of acts, events, or conditions, other than opinions or diagnoses, that  
7 was received or acquired in the regular course of business by an entity  
8 from another entity and has been incorporated into and kept in the  
9 regular course of business of the receiving or acquiring entity; that the  
10 receiving or acquiring entity typically relies upon the accuracy of the  
11 contents of the memorandum, report, record, or data compilation; and that  
12 the circumstances otherwise indicate the trustworthiness of the  
13 memorandum, report, record, or data compilation, as shown by the  
14 testimony of the custodian or other qualified witness. Subdivision (6)(b)  
15 of this section shall not apply in any criminal proceeding;

16 (7) Evidence that a matter is not included in the memoranda,  
17 reports, records, or data compilations, in any form, kept in accordance  
18 with the provisions of subdivision (6) of this section to prove the  
19 nonoccurrence or nonexistence of the matter, if the matter was of a kind  
20 of which a memorandum, report, record, or data compilation was regularly  
21 made and preserved, unless the sources of information or other  
22 circumstances indicate a lack of trustworthiness;

23 (8) Upon reasonable notice to the opposing party prior to trial,  
24 records, reports, statements, or data compilations made by a public  
25 official or agency of facts required to be observed and recorded pursuant  
26 to a duty imposed by law, unless the sources of information or the method  
27 or circumstances of the investigation are shown by the opposing party to  
28 indicate a lack of trustworthiness;

29 (9) Records or data compilations, in any form, of births, fetal  
30 deaths, deaths, or marriages, if the report thereof was made to a public  
31 office pursuant to requirements of law;

1           (10) To prove the absence of a record, report, statement, or data  
2 compilation, in any form, or the nonoccurrence or nonexistence of a  
3 matter of which a record, report, statement, or data compilation, in any  
4 form, was regularly made and preserved by a public office or agency,  
5 evidence in the form of a certification in accordance with section  
6 27-902, or testimony, that diligent search failed to disclose the record,  
7 report, statement, or data compilation or entry;

8           (11) Statements of births, marriages, divorces, deaths, legitimacy,  
9 ancestry, relationship by blood or marriage, or other similar facts of  
10 personal or family history, contained in a regularly kept record of a  
11 religious organization;

12           (12) Statements of fact contained in a certificate that the maker  
13 performed a marriage or other ceremony or administered a sacrament, made  
14 by a member of the clergy, public official, or other person authorized by  
15 the rules or practices of a religious organization or by law to perform  
16 the act certified, and purporting to have been issued at the time of the  
17 act or within a reasonable time thereafter;

18           (13) Statements of births, marriages, divorces, deaths, legitimacy,  
19 ancestry, relationship by blood or marriage, or other similar facts of  
20 personal or family history contained in family Bibles, genealogies,  
21 charts, engravings on rings, inscriptions on family portraits, engravings  
22 on urns, crypts, or tombstones or the like;

23           (14) The record of a document purporting to establish or affect an  
24 interest in property, as proof of the content of the original recorded  
25 document and its execution and delivery by each person by whom it  
26 purports to have been executed, if the record is a record of a public  
27 office and an applicable statute authorized the recording of documents of  
28 that kind in that office;

29           (15) A statement contained in a document purporting to establish or  
30 affect an interest in property if the matter stated was relevant to the  
31 purpose of the document, unless dealings with the property since the

1 document was made have been inconsistent with the truth of the statement  
2 or the purport of the document;

3 (16) Statements in a document in existence thirty years or more  
4 whose authenticity is established;

5 (17) Market quotations, tabulations, lists, directories, or other  
6 published compilations, generally used and relied upon by the public or  
7 by persons in particular occupations;

8 (18) Statements contained in published treatises, periodicals, or  
9 pamphlets on a subject of history, medicine, or other science or art,  
10 established as a reliable authority by the testimony or admission of the  
11 witness or by other expert testimony or by judicial notice, to the extent  
12 called to the attention of an expert witness upon cross-examination or  
13 relied upon by the expert witness in direct examination. If admitted, the  
14 statements may be read into evidence but may not be received as exhibits;

15 (19) Reputation among members of his or her family by blood,  
16 adoption, or marriage, or among his or her associates, or in the  
17 community, concerning a person's birth, adoption, marriage, divorce,  
18 death, legitimacy, relationship by blood, adoption, or marriage,  
19 ancestry, or other similar fact of his or her personal or family history;

20 (20) Reputation in a community, arising before the controversy, as  
21 to boundaries of or customs affecting lands in the community, and  
22 reputation as to events of general history important to the community or  
23 state or nation in which located;

24 (21) Reputation of a person's character among his or her associates  
25 or in the community;

26 (22) Evidence of a final judgment, entered after a trial or upon a  
27 plea of guilty (but not upon a plea of nolo contendere), adjudging a  
28 person guilty of a crime punishable by death or imprisonment in excess of  
29 one year, to prove any fact essential to sustain the judgment, but not  
30 including, when offered by the government in a criminal prosecution for  
31 purposes other than impeachment, judgments against a person other than

1 the accused. The pendency of an appeal may be shown but does not affect  
2 admissibility;

3 (23) Judgments as proof of matters of personal, family, or general  
4 history, or boundaries, essential to the judgment, if the same would be  
5 provable by evidence of reputation; and

6 (24) A statement not specifically covered by any of the foregoing  
7 exceptions but having equivalent circumstantial guarantees of  
8 trustworthiness, if the court determines that (a) the statement is  
9 offered as evidence of a material fact, (b) the statement is more  
10 probative on the point for which it is offered than any other evidence  
11 which the proponent can procure through reasonable efforts, and (c) the  
12 general purposes of these rules and the interests of justice will best be  
13 served by admission of the statement into evidence. A statement may not  
14 be admitted under this exception unless the proponent of it makes known  
15 to the adverse party, sufficiently in advance of the trial or hearing to  
16 provide the adverse party with a fair opportunity to prepare to meet it,  
17 his or her intention to offer the statement and the particulars of it,  
18 including the name and address of the declarant.

19 Sec. 4. Section 27-902, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 27-902 Extrinsic evidence of authenticity as a condition precedent  
22 to admissibility is not required with respect to the following:

23 (1) A document bearing a seal purporting to be that of the United  
24 States, or of any state, district, commonwealth, territory, or insular  
25 possession thereof, or the Panama Canal Zone or the Trust Territory of  
26 the Pacific Islands, or of a political subdivision, department, officer,  
27 or agency thereof, and a signature purporting to be an attestation or  
28 execution;

29 (2) A document purporting to bear the signature in his or her  
30 official capacity of an officer or employee of any entity included in  
31 subdivision (1) of this section, having no seal, if a public officer

1 having a seal and having official duties in the district or political  
2 subdivision of the officer or employee certifies under seal that the  
3 signer has the official capacity and that the signature is genuine;

4 (3) A document purporting to be executed or attested in his or her  
5 official capacity by a person authorized by the laws of a foreign country  
6 to make the execution or attestation, and accompanied by a final  
7 certification as to the genuineness of the signature and official  
8 position (a) of the executing or attesting person, or (b) of any foreign  
9 official whose certificate of genuineness of signature and official  
10 position relates to the execution or attestation or is in a chain of  
11 certificates of genuineness of signature and official position relating  
12 to the execution or attestation. A final certification may be made by a  
13 secretary of embassy or legation, consul general, consul, vice consul, or  
14 consular agent of the United States, or a diplomatic or consular official  
15 of the foreign country assigned or accredited to the United States. If  
16 reasonable opportunity has been given to all parties to investigate the  
17 authenticity and accuracy of official documents, the judge may, for good  
18 cause shown, order that they be treated as presumptively authentic  
19 without final certification or permit them to be evidenced by an attested  
20 summary with or without final certification;

21 (4) A copy of an official record or report or entry therein, or of a  
22 document authorized by law to be recorded or filed and actually recorded  
23 or filed in a public office, including data compilations in any form,  
24 certified as correct by the custodian or other person authorized to make  
25 the certification, by certificate complying with subdivision (1), (2), or  
26 (3) of this section or complying with any Act of Congress or the  
27 Legislature or rule adopted by the Supreme Court of Nebraska which are  
28 not in conflict with laws governing such matters;

29 (5) Books, pamphlets, or other publications purporting to be issued  
30 by public authority;

31 (6) Printed materials purporting to be newspapers or periodicals;

1 (7) Inscriptions, signs, tags, or labels purporting to have been  
2 affixed in the course of business and indicating ownership, control, or  
3 origin;

4 (8) Documents accompanied by a certificate of acknowledgment  
5 executed in the manner provided by law by a notary public or other  
6 officer authorized by law to take acknowledgments;

7 (9) Commercial paper, signatures thereon, and documents relating  
8 thereto to the extent provided by general commercial law;~~or~~

9 (10) Any signature, document, or other matter declared by Act of  
10 Congress and the laws of the State of Nebraska to be presumptively or  
11 prima facie genuine or authentic; ~~or~~

12 (11)(a) The original or a copy of a domestic record that meets the  
13 requirements of subdivision (6) of section 27-803, as shown by a  
14 certification of the custodian or another qualified person.

15 (b) Before the trial or hearing, the proponent must give an adverse  
16 party reasonable written notice of the intent to offer the record and  
17 must make the record and certification available for inspection so that  
18 the party has a fair opportunity to challenge them on the ground that the  
19 sources of information or the method or circumstances of preparation  
20 indicate a lack of trustworthiness;

21 (12) In a civil case, the original or a copy of a foreign record  
22 that meets the requirements of subdivision (11)(a) of this section,  
23 modified as follows: The certification must be signed in a manner that,  
24 if falsely made, would subject the maker to a criminal penalty in the  
25 country where the certification is signed. The proponent must also meet  
26 the notice requirements of subdivision (11)(b) of this section;

27 (13) A record generated by an electronic process or system that  
28 produces an accurate result, as shown by a certification of a qualified  
29 person that complies with the certification requirements of subdivision  
30 (11)(a) or (12) of this section. The proponent must also meet the notice  
31 requirements of subdivision (11)(b) of this section; or

1       (14) Data copied from an electronic device, storage medium, or file,  
2 if authenticated by a process of digital identification, as shown by a  
3 certification of a qualified person that complies with the certification  
4 requirements of subdivision (11)(a) or (12) of this section. The  
5 proponent must also meet the notice requirements of subdivision (11)(b)  
6 of this section.

7       Sec. 5. Section 28-518, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9       28-518 (1) Theft constitutes a Class IIA felony when the value of  
10 the thing involved is five thousand dollars or more.

11       (2) Theft constitutes a Class IV felony when the value of the thing  
12 involved is one thousand five hundred dollars or more but less than five  
13 thousand dollars.

14       (3) Theft constitutes a Class I misdemeanor when the value of the  
15 thing involved is more than five hundred dollars but less than one  
16 thousand five hundred dollars.

17       (4) Theft constitutes a Class II misdemeanor when the value of the  
18 thing involved is five hundred dollars or less.

19       (5) For any second or subsequent conviction under subsection (3) of  
20 this section, any person so offending shall be guilty of a Class IV  
21 felony.

22       (6) For any second conviction under subsection (4) of this section,  
23 any person so offending shall be guilty of a Class I misdemeanor, and for  
24 any third or subsequent conviction under subsection (4) of this section,  
25 the person so offending shall be guilty of a Class IV felony.

26       (7) For a prior conviction to be used to enhance the penalty under  
27 subsection (5) or (6) of this section, the prior conviction must have  
28 occurred no more than ten years prior to the date of commission of the  
29 current offense.

30       (8) ~~(7)~~ Amounts taken pursuant to one scheme or course of conduct  
31 from one or more persons may be aggregated in the indictment or

1 information in determining the classification of the offense, except that  
2 amounts may not be aggregated into more than one offense.

3 (9) ~~(8)~~ In any prosecution for theft under sections 28-509 to  
4 28-518, value shall be an essential element of the offense that must be  
5 proved beyond a reasonable doubt.

6 Sec. 6. Section 29-2221, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8 29-2221 (1) Whoever has been twice convicted of a crime, sentenced,  
9 and committed to prison, in this or any other state or by the United  
10 States or once in this state and once at least in any other state or by  
11 the United States, for terms of not less than one year each shall, upon  
12 conviction of a felony committed in this state, be deemed to be a  
13 habitual criminal and shall be punished by imprisonment in a Department  
14 of Correctional Services adult correctional facility for a mandatory  
15 minimum term of ten years and a maximum term of not more than sixty  
16 years, except that:

17 (a) If the felony committed is in violation of section 28-303,  
18 28-304, 28-308, 28-313, 28-319, 28-319.01, 28-502, 28-929, or 28-1222,  
19 and at least one of the habitual criminal's prior felony convictions was  
20 for a violation of one of the sections listed in this subdivision or of a  
21 similar statute in another state or of the United States, the mandatory  
22 minimum term shall be twenty-five years and the maximum term not more  
23 than sixty years;

24 (b) If the felony committed is in violation of subsection (3) of  
25 section 28-306 and at least one of the prior convictions is in violation  
26 of subsection (3) of section 28-306 and the other is in violation of one  
27 of the sections set forth in subdivision (a) of this subsection or if the  
28 felony committed is in violation of one of the sections set forth in  
29 subdivision (a) of this subsection and both of the prior convictions are  
30 in violation of subsection (3) of section 28-306, the mandatory minimum  
31 term shall be twenty-five years and the maximum term not more than sixty

1 years;~~and~~

2 (c) If the felony committed does not include as an element sexual  
3 contact, sexual penetration, the threat to inflict serious bodily injury  
4 or death on another person, the infliction of serious bodily injury on  
5 another person, causing the death of another person, or unlawful  
6 possession of a firearm, the mandatory minimum term shall be three years  
7 and the maximum term not more than the maximum term for that felony or  
8 twenty years, whichever is greater; and

9 (d) ~~(c)~~ If a greater punishment is otherwise provided by statute,  
10 the law creating the greater punishment shall govern.

11 (2) When punishment of an accused as a habitual criminal is sought,  
12 the facts with reference thereto shall be charged in the indictment or  
13 information which contains the charge of the felony upon which the  
14 accused is prosecuted, but the fact that the accused is charged with  
15 being a habitual criminal shall not be an issue upon the trial of the  
16 felony charge and shall not in any manner be disclosed to the jury. If  
17 the accused is convicted of a felony, before sentence is imposed a  
18 hearing shall be had before the court alone as to whether such person has  
19 been previously convicted of prior felonies. The court shall fix a time  
20 for the hearing and notice thereof shall be given to the accused at least  
21 three days prior thereto. At the hearing, if the court finds from the  
22 evidence submitted that the accused has been convicted two or more times  
23 of felonies and sentences imposed therefor by the courts of this or any  
24 other state or by the United States, the court shall sentence such person  
25 so convicted as a habitual criminal.

26 (3) If the person so convicted shows to the satisfaction of the  
27 court before which the conviction was had that he or she was released  
28 from imprisonment upon either of such sentences upon a pardon granted for  
29 the reason that he or she was innocent, such conviction and sentence  
30 shall not be considered as such under this section and section 29-2222.

31 Sec. 7. Section 29-2252, Revised Statutes Cumulative Supplement,

1 2022, is amended to read:

2 29-2252 The administrator shall:

3 (1) Supervise and administer the office;

4 (2) Establish and maintain policies, standards, and procedures for  
5 the system, with the concurrence of the Supreme Court;

6 (3) Prescribe and furnish such forms for records and reports for the  
7 system as shall be deemed necessary for uniformity, efficiency, and  
8 statistical accuracy;

9 (4) Establish minimum qualifications for employment as a probation  
10 officer in this state and establish and maintain such additional  
11 qualifications as he or she deems appropriate for appointment to the  
12 system. Qualifications for probation officers shall be established in  
13 accordance with subsection (4) of section 29-2253. An ex-offender  
14 released from a penal complex or a county jail may be appointed to a  
15 position of deputy probation or parole officer. Such ex-offender shall  
16 maintain a record free of arrests, except for minor traffic violations,  
17 for one year immediately preceding his or her appointment;

18 (5) Establish and maintain advanced periodic inservice training  
19 requirements for the system;

20 (6) Cooperate with all agencies, public or private, which are  
21 concerned with treatment or welfare of persons on probation. All  
22 information provided to the Nebraska Commission on Law Enforcement and  
23 Criminal Justice for the purpose of providing access to such information  
24 to law enforcement agencies through the state's criminal justice  
25 information system shall be provided in a manner that allows such  
26 information to be readily accessible through the main interface of the  
27 system;

28 (7) Organize and conduct training programs for probation officers.  
29 Training shall include the proper use of a risk and needs assessment,  
30 risk-based supervision strategies, relationship skills, cognitive  
31 behavioral interventions, community-based resources, criminal risk

1 factors, and targeting criminal risk factors to reduce recidivism and the  
2 proper use of a matrix of administrative sanctions, custodial sanctions,  
3 and rewards developed pursuant to subdivision (18) of this section. All  
4 probation officers employed on or after August 30, 2015, shall complete  
5 the training requirements set forth in this subdivision;

6 (8) Collect, develop, and maintain statistical information  
7 concerning probationers, probation practices, and the operation of the  
8 system and provide the Community Corrections Division of the Nebraska  
9 Commission on Law Enforcement and Criminal Justice with the information  
10 needed to compile the report required in section 47-624;

11 (9) Interpret the probation program to the public with a view toward  
12 developing a broad base of public support;

13 (10) Conduct research for the purpose of evaluating and improving  
14 the effectiveness of the system. Subject to the availability of funding,  
15 the administrator shall contract with an independent contractor or  
16 academic institution for evaluation of existing community corrections  
17 facilities and programs operated by the office;

18 (11) Adopt and promulgate such rules and regulations as may be  
19 necessary or proper for the operation of the office or system. The  
20 administrator shall adopt and promulgate rules and regulations for  
21 transitioning individuals on probation across levels of supervision and  
22 discharging them from supervision consistent with evidence-based  
23 practices. The rules and regulations shall ensure supervision resources  
24 are prioritized for individuals who are high risk to reoffend, require  
25 transitioning individuals down levels of supervision intensity based on  
26 assessed risk and months of supervision without a reported major  
27 violation, and establish incentives for earning discharge from  
28 supervision based on compliance;

29 (12) Transmit a report during each even-numbered year to the Supreme  
30 Court on the operation of the office for the preceding two calendar years  
31 which shall include a historical analysis of probation officer workload,

1 including participation in non-probation-based programs and services. The  
2 report shall be transmitted by the Supreme Court to the Governor and the  
3 Clerk of the Legislature. The report submitted to the Clerk of the  
4 Legislature shall be submitted electronically;

5 (13) Administer the payment by the state of all salaries, travel,  
6 and expenses authorized under section 29-2259 incident to the conduct and  
7 maintenance of the office;

8 (14) Use the funds provided under section 29-2262.07 to augment  
9 operational or personnel costs associated with the development,  
10 implementation, and evaluation of enhanced probation-based programs and  
11 non-probation-based programs and services in which probation personnel or  
12 probation resources are utilized pursuant to an interlocal agreement  
13 authorized by subdivision (16) of this section and to purchase services  
14 to provide such programs aimed at enhancing adult probationer or non-  
15 probation-based program participant supervision in the community and  
16 treatment needs of probationers and non-probation-based program  
17 participants. Enhanced probation-based programs include, but are not  
18 limited to, specialized units of supervision, related equipment purchases  
19 and training, and programs that address a probationer's vocational,  
20 educational, mental health, behavioral, or substance abuse treatment  
21 needs;

22 (15) Ensure that any risk or needs assessment instrument utilized by  
23 the system be periodically validated;

24 (16) Have the authority to enter into interlocal agreements in which  
25 probation resources or probation personnel may be utilized in conjunction  
26 with or as part of non-probation-based programs and services. Any such  
27 interlocal agreement shall comply with section 29-2255;

28 (17) Collaborate with the Community Corrections Division of the  
29 Nebraska Commission on Law Enforcement and Criminal Justice and the  
30 Division of Parole Supervision to develop rules governing the  
31 participation of parolees in community corrections programs operated by

1 the Office of Probation Administration;

2 (18) Develop a matrix of rewards for compliance and positive  
3 behaviors and graduated administrative sanctions and custodial sanctions  
4 for use in responding to and deterring substance abuse violations and  
5 technical violations. As applicable under sections 29-2266.02 and  
6 29-2266.03, custodial sanctions of up to thirty days in jail shall be  
7 designated as the most severe response to a violation in lieu of  
8 revocation and custodial sanctions of up to three days in jail shall be  
9 designated as the second most severe response;

10 (19) Adopt and promulgate rules and regulations for the creation of  
11 individualized post-release supervision plans, collaboratively with the  
12 Department of Correctional Services and county jails, for probationers  
13 sentenced to post-release supervision; and

14 (20) Exercise all powers and perform all duties necessary and proper  
15 to carry out his or her responsibilities.

16 Each member of the Legislature shall receive an electronic copy of  
17 the report required by subdivision (12) of this section by making a  
18 request for it to the administrator.

19 Sec. 8. Section 29-2262, Revised Statutes Cumulative Supplement,  
20 2022, is amended to read:

21 29-2262 (1) When a court sentences an offender to probation, it  
22 shall attach such reasonable conditions as it deems necessary or likely  
23 to insure that the offender will lead a law-abiding life. No offender  
24 shall be sentenced to probation if he or she is deemed to be a habitual  
25 criminal pursuant to section 29-2221.

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

28 (a) To refrain from unlawful conduct;

29 (b) To be confined periodically in the county jail or to return to  
30 custody after specified hours but not to exceed the lesser of ninety days  
31 or the maximum jail term provided by law for the offense;

1 (c) To meet his or her family responsibilities;

2 (d) To devote himself or herself to a specific employment or  
3 occupation;

4 (e) To undergo medical or psychiatric treatment and to enter and  
5 remain in a specified institution for such purpose;

6 (f) To pursue a prescribed secular course of study or vocational  
7 training;

8 (g) To attend or reside in a facility established for the  
9 instruction, recreation, or residence of persons on probation;

10 (h) To refrain from frequenting unlawful or disreputable places or  
11 consorting with disreputable persons;

12 (i) To possess no firearm or other dangerous weapon if convicted of  
13 a felony, or if convicted of any other offense, to possess no firearm or  
14 other dangerous weapon unless granted written permission by the court;

15 (j) To remain within the jurisdiction of the court and to notify the  
16 court or the probation officer of any change in his or her address or his  
17 or her employment and to agree to waive extradition if found in another  
18 jurisdiction;

19 (k) To report as directed to the court or a probation officer and to  
20 permit the officer to visit his or her home;

21 (l) To pay a fine in one or more payments as ordered;

22 (m) To pay for tests to determine the presence of drugs or alcohol,  
23 psychological evaluations, offender assessment screens, and  
24 rehabilitative services required in the identification, evaluation, and  
25 treatment of offenders if such offender has the financial ability to pay  
26 for such services;

27 (n) To perform community service as outlined in sections 29-2277 to  
28 29-2279 under the direction of his or her probation officer;

29 (o) To be monitored by an electronic surveillance device or system  
30 and to pay the cost of such device or system if the offender has the  
31 financial ability;

1 (p) To participate in a community correctional facility or program  
2 as provided in the Community Corrections Act;

3 (q) To satisfy any other conditions reasonably related to the  
4 rehabilitation of the offender;

5 (r) To make restitution as described in sections 29-2280 and  
6 29-2281; or

7 (s) To pay for all costs imposed by the court, including court costs  
8 and the fees imposed pursuant to section 29-2262.06.

9 (3) When jail time is imposed as a condition of probation under  
10 subdivision (2)(b) of this section, the court shall advise the offender  
11 on the record the time the offender will serve in jail assuming no good  
12 time for which the offender will be eligible under section 47-502 is lost  
13 and assuming none of the jail time imposed as a condition of probation is  
14 waived by the court.

15 (4) Jail time may only be imposed as a condition of probation under  
16 subdivision (2)(b) of this section if:

17 (a) The court would otherwise sentence the defendant to a term of  
18 imprisonment instead of probation; and

19 (b) The court makes a finding on the record that, while probation is  
20 appropriate, periodic confinement in the county jail as a condition of  
21 probation is necessary because a sentence of probation without a period  
22 of confinement would depreciate the seriousness of the offender's crime  
23 or promote disrespect for law.

24 (5) In all cases in which the offender is guilty of violating  
25 section 28-416, a condition of probation shall be mandatory treatment and  
26 counseling as provided by such section.

27 (6) In all cases in which the offender is guilty of a crime covered  
28 by the DNA Identification Information Act, a condition of probation shall  
29 be the collecting of a DNA sample pursuant to the act and the paying of  
30 all costs associated with the collection of the DNA sample prior to  
31 release from probation.

1           (7) For any offender sentenced to probation, the court shall enter  
2 an order to provide the offender's (a) name, (b) probation officer, and  
3 (c) conditions of probation to the Nebraska Commission on Law Enforcement  
4 and Criminal Justice which shall provide access to such information to  
5 law enforcement agencies through the state's criminal justice information  
6 service.

7           Sec. 9. Section 29-2263, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9           29-2263   (1)(a) ~~(1)~~ Except as provided in subsection (2) of this  
10 section, when a court has sentenced an offender to probation, the court  
11 shall specify the term of such probation which shall be not more than  
12 five years upon conviction of a felony or second offense misdemeanor and  
13 two years upon conviction of a first offense misdemeanor.

14           (b) At sentencing, the court shall provide notice to the offender  
15 that the offender may be eligible to have the conviction set aside as  
16 provided in subsection (2) of section 29-2264 and shall provide  
17 information on how to file such a petition. The State Court Administrator  
18 shall develop standardized advisement language and any forms necessary to  
19 carry out this subdivision.

20           (c) The court, on application of a probation officer or of the  
21 probationer or on its own motion, may discharge a probationer at any  
22 time.

23           (2) When a court has sentenced an offender to post-release  
24 supervision, the court shall specify the term of such post-release  
25 supervision as provided in section 28-105. The court, on application of a  
26 probation officer or of the probationer or on its own motion, may  
27 discharge a probationer at any time.

28           (3) During the term of probation, the court on application of a  
29 probation officer or of the probationer, or its own motion, may modify or  
30 eliminate any of the conditions imposed on the probationer or add further  
31 conditions authorized by section 29-2262. This subsection does not

1 preclude a probation officer from imposing administrative sanctions with  
2 the probationer's full knowledge and consent as authorized by sections  
3 29-2266.01 and 29-2266.02.

4 (4)(a) {4} Upon completion of the term of probation, or the earlier  
5 discharge of the probationer, the probationer shall be relieved of any  
6 obligations imposed by the order of the court and shall have satisfied  
7 the sentence for his or her crime.

8 (b) Upon satisfactory fulfillment of the conditions of probation for  
9 the entire period or after discharge from probation prior to the  
10 termination of the period of probation, a probation officer shall notify  
11 the probationer that the probationer may be eligible to have the  
12 conviction set aside as provided in subsection (2) of section 29-2264.  
13 The notice shall include an explanation of the requirements for a  
14 conviction to be set aside, how to file a petition for a conviction to be  
15 set aside, and the effect of and limitations of having a conviction set  
16 aside and an advisement that the probationer consult with an attorney  
17 prior to filing a petition. The State Court Administrator shall develop  
18 standardized advisement language and any forms necessary to carry out  
19 this subdivision.

20 (5) Whenever a probationer disappears or leaves the jurisdiction of  
21 the court without permission, the time during which he or she keeps his  
22 or her whereabouts hidden or remains away from the jurisdiction of the  
23 court shall be added to the original term of probation.

24 Sec. 10. Section 29-2269, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26 29-2269 Sections 29-2246 to 29-2269 and sections 11 and 12 of this  
27 act shall be known and may be cited as the Nebraska Probation  
28 Administration Act.

29 Sec. 11. (1) The probation administrator shall create a pilot  
30 program to hire additional assistant probation officers as provided in  
31 this section.

1       (2) The pilot program shall be limited to a single probation  
2 district.

3       (3) Assistant probation officers hired under this section shall  
4 assist probation officers in the supervision of high-risk caseloads.

5       (4) The purpose of the pilot program is to determine whether  
6 additional support for probation officers results in probationers  
7 completing their terms of probation with fewer violations.

8       (5) On or before June 1, 2024, the probation administrator shall  
9 electronically submit a report to the Judiciary Committee of the  
10 Legislature regarding the pilot program. The report shall include the  
11 total number of persons admitted into the pilot program, including  
12 demographic information, criminal history, and top needs according to the  
13 results of a risk assessment; conditions of supervision; the total number  
14 of violations of supervision conditions; the number of supervision  
15 discharges by type of discharge; and recidivism rates.

16       Sec. 12. (1) The probation administrator shall create a pilot  
17 program to establish a probationer incentive program as provided in this  
18 section.

19       (2) The pilot program shall be limited to a single probation  
20 district. Such district shall be chosen by the State Court Administrator.

21       (3) The pilot program shall establish an incentive fund to be used  
22 for the purchase of gift cards, vouchers, and other tangible rewards for  
23 probationers who are succeeding at probation, in order to encourage  
24 continued success and reduce recidivism. The incentives shall be awarded  
25 at the discretion of probation officers, subject to policies and  
26 guidelines of the office.

27       (4) On or before June 1, 2024, the probation administrator shall  
28 electronically submit a report to the Judiciary Committee of the  
29 Legislature regarding the pilot program.

30       Sec. 13. Section 29-2281, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           29-2281 (1) To determine the amount of restitution, the court may  
2 hold a hearing at the time of sentencing. The amount of restitution shall  
3 be based on the actual damages sustained by the victim and shall be  
4 supported by evidence which shall become a part of the court record. The  
5 court shall consider the defendant's earning ability, employment status,  
6 financial resources, and family or other legal obligations and shall  
7 balance such considerations against the obligation to the victim. In  
8 considering the earning ability of a defendant who is sentenced to  
9 imprisonment, the court may receive evidence of money anticipated to be  
10 earned by the defendant during incarceration.

11           (2) A person may not be granted or denied probation or parole either  
12 solely or primarily due to his or her financial resources or ability or  
13 inability to pay restitution.

14           (3) The court may order that restitution be made immediately, in  
15 specified installments, or within a specified period of time not to  
16 exceed five years after the date of judgment or defendant's final release  
17 date from imprisonment, whichever is later.

18           (4) If, in addition to restitution, a defendant is ordered to pay  
19 finances and costs as part of the judgment and the defendant fails to pay  
20 the full amount owed, funds shall first be applied to a restitution  
21 obligation with the remainder applied towards fines and costs only when  
22 the restitution obligation is satisfied in full.

23           (5) Restitution payments shall be made through the clerk of the  
24 court ordering restitution. The clerk shall maintain a record of all  
25 receipts and disbursements.

26           Sec. 14. Section 29-2315.02, Reissue Revised Statutes of Nebraska,  
27 is amended to read:

28           29-2315.02 If the application is be granted in cases where the court  
29 finds a defendant to be indigent, the trial court shall first contact the  
30 public defender, in counties with a public defender, to inquire whether  
31 or not the public defender is able to accept the appointment appoint a

1 ~~lawyer~~ to argue the case against the prosecuting attorney. If the public  
2 defender declines the appointment because of a conflict of interest, the  
3 court shall appoint another attorney. An attorney other than the public  
4 defender appointed under this section shall file an application for fees  
5 and expenses in the court which appointed such attorney for all fees and  
6 expenses reasonably necessary to permit such attorney to effectively and  
7 competently represent the defendant and to argue the case against the  
8 prosecuting attorney. Such fees and expenses shall , which lawyer shall  
9 receive for his services a fee not exceeding two hundred dollars, to be  
10 fixed by such court, and to be paid out of the treasury of the county in  
11 the full amount determined by the court. If the court does not find a  
12 defendant indigent and does not appoint the public defender or another  
13 attorney, the defendant may be represented by an attorney of the  
14 defendant's choice . For such purpose, the court may appoint the  
15 defendant's attorney, but if he is not appointed the defendant may in any  
16 event appear and participate through an attorney of his own choice.

17       Sec. 15. Section 29-2318, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19       29-2318 When a notice is filed in cases where the court finds a  
20 defendant to be indigent, the trial court shall first contact the public  
21 defender, in counties with a public defender, to inquire whether or not  
22 the public defender is able to accept the appointment appoint a lawyer to  
23 argue the case against the prosecuting attorney. If the public defender  
24 declines the appointment because of a conflict of interest, the court  
25 shall appoint another attorney. An attorney other than the public  
26 defender appointed under this section shall file an application for fees  
27 and expenses in the court which appointed such attorney for all fees and  
28 expenses reasonably necessary to permit such attorney to effectively and  
29 competently represent the defendant and to argue the case against the  
30 prosecuting attorney. Such fees and expenses shall , which lawyer shall  
31 receive for his or her services a fee not exceeding two hundred dollars

1 ~~to be fixed by the court and to be paid out of the treasury of the county~~  
2 ~~in the full amount determined by the court. If the court does not find a~~  
3 ~~defendant indigent and does not appoint the public defender or another~~  
4 ~~The court may appoint the defendant's attorney, but if an attorney, is~~  
5 ~~not appointed the defendant may be represented by an attorney of the~~  
6 ~~defendant's his or her choice.~~

7 Sec. 16. Section 29-3001, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9 29-3001 (1) A prisoner in custody under sentence and claiming a  
10 right to be released on the ground that there was such a denial or  
11 infringement of the rights of the prisoner as to render the judgment void  
12 or voidable under the Constitution of this state or the Constitution of  
13 the United States, may file a verified motion, in the court which imposed  
14 such sentence, stating the grounds relied upon and asking the court to  
15 vacate or set aside the sentence.

16 (2) Unless the motion and the files and records of the case show to  
17 the satisfaction of the court that the prisoner is entitled to no relief,  
18 the court shall cause notice thereof to be served on the county attorney,  
19 grant a prompt hearing thereon, and determine the issues and make  
20 findings of fact and conclusions of law with respect thereto. If the  
21 court finds that there was such a denial or infringement of the rights of  
22 the prisoner as to render the judgment void or voidable under the  
23 Constitution of this state or the Constitution of the United States, the  
24 court shall vacate and set aside the judgment and shall discharge the  
25 prisoner or resentence the prisoner or grant a new trial as may appear  
26 appropriate. Proceedings under the provisions of sections 29-3001 to  
27 29-3004 shall be civil in nature. Costs shall be taxed as in habeas  
28 corpus cases.

29 (3) A court may entertain and determine such motion without  
30 requiring the production of the prisoner, whether or not a hearing is  
31 held. Testimony of the prisoner or other witnesses may be offered by

1 deposition. The court need not entertain a second motion or successive  
2 motions for similar relief on behalf of the same prisoner.

3 (4) A one-year period of limitation shall apply to the filing of a  
4 verified motion for postconviction relief. The one-year limitation period  
5 shall run from the later of:

6 (a) The date the judgment of conviction became final by the  
7 conclusion of a direct appeal or the expiration of the time for filing a  
8 direct appeal;

9 (b) The date on which the factual predicate of the constitutional  
10 claim or claims alleged could have been discovered through the exercise  
11 of due diligence;

12 (c) The date on which an impediment created by state action, in  
13 violation of the Constitution of the United States or the Constitution of  
14 Nebraska or any law of this state, is removed, if the prisoner was  
15 prevented from filing a verified motion by such state action;

16 (d) The date on which a constitutional claim asserted was initially  
17 recognized by the Supreme Court of the United States or the Nebraska  
18 Supreme Court, if the newly recognized right has been made applicable  
19 retroactively to cases on postconviction collateral review; or

20 (e) The date on which the Supreme Court of the United States denies  
21 a writ of certiorari or affirms a conviction appealed from the Nebraska  
22 Supreme Court. This subdivision only applies if, within thirty days after  
23 petitioning the Supreme Court of the United States for a writ of  
24 certiorari, the prisoner files a notice in the district court of  
25 conviction stating that the prisoner has filed such petition August 27,  
26 2011.

27 Sec. 17. (1) The Nebraska Sentencing Reform Task Force is created.

28 (2) The task force shall identify and recommend changes to  
29 Nebraska's criminal justice laws, policies, and practices to improve  
30 public safety and more effectively allocate Nebraska's criminal justice  
31 system resources.

1           (3) The task force shall consist of the following members:

2           (a) The Governor or the Governor's designee;

3           (b) The Attorney General or the Attorney General's designee;

4           (c) Three members of the Judiciary Committee of the Legislature  
5 appointed by the Executive Board of the Legislative Council;

6           (d) Two representatives of law enforcement appointed by the  
7 Governor; and

8           (e) Two county attorneys appointed by the Governor.

9           (4) The task force shall submit its first report to the Legislature  
10 no later than November 15, 2023. The task force shall submit its second  
11 report to the Legislature no later than November 15, 2024. The reports  
12 shall be submitted electronically to the Clerk of the Legislature.

13           (5) Administrative and staff support for the task force shall be  
14 provided by any executive branch staff as directed by the Governor or by  
15 staff of the Judiciary Committee of the Legislature as directed by the  
16 chairperson of the Judiciary Committee.

17           (6) The task force terminates on December 31, 2024.

18           Sec. 18. Section 38-2136, Revised Statutes Cumulative Supplement,  
19 2022, is amended to read:

20           38-2136 No person who is licensed or certified pursuant to the  
21 Mental Health Practice Act or who holds a privilege to practice in  
22 Nebraska as a professional counselor under the Licensed Professional  
23 Counselors Interstate Compact shall disclose any information he or she  
24 may have acquired from any person consulting him or her in his or her  
25 professional capacity except:

26           (1) With the written consent of the person or, in the case of death  
27 or disability, of the person's personal representative, any other person  
28 authorized to sue on behalf of the person, or the beneficiary of an  
29 insurance policy on the person's life, health, or physical condition.  
30 When more than one person in a family receives therapy conjointly, each  
31 such family member who is legally competent to execute a waiver shall

1 agree to the waiver referred to in this subdivision. Without such a  
2 waiver from each family member legally competent to execute a waiver, a  
3 practitioner shall not disclose information received from any family  
4 member who received therapy conjointly;

5 (2) As such privilege against disclosure is limited by the laws of  
6 the State of Nebraska or as the board may determine by rule and  
7 regulation;

8 (3) When the person waives the privilege against disclosure by  
9 bringing charges against the licensee; ~~or~~

10 (4) When there is a duty to warn under the limited circumstances set  
11 forth in section 38-2137; or -

12 (5) When the disclosure of information is permitted under the Health  
13 Insurance Portability and Accountability Act of 1996, Public Law 104-191,  
14 or as otherwise permitted by law.

15 Sec. 19. Section 43-279, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 43-279 (1) The adjudication portion of hearings shall be conducted  
18 before the court without a jury, applying the customary rules of evidence  
19 in use in trials without a jury. When the petition alleges the juvenile  
20 to be within the provisions of subdivision (1), (2), (3)(b), or (4) of  
21 section 43-247 and the juvenile or his or her parent, guardian, or  
22 custodian appears with or without counsel, the court shall inform the  
23 parties:

24 (a) Of the nature of the proceedings and the possible consequences  
25 or dispositions pursuant to sections 43-284 to 43-286, 43-289, and 43-290  
26 that may apply to the juvenile's case following an adjudication of  
27 jurisdiction;

28 (b) Of such juvenile's right to counsel as provided in sections  
29 43-272 and 43-273;

30 (c) Of the privilege against self-incrimination by advising the  
31 juvenile, parent, guardian, or custodian that the juvenile may remain

1 silent concerning the charges against the juvenile and that anything said  
2 may be used against the juvenile;

3 (d) Of the right to confront anyone who testifies against the  
4 juvenile and to cross-examine any persons who appear against the  
5 juvenile;

6 (e) Of the right of the juvenile to testify and to compel other  
7 witnesses to attend and testify in his or her own behalf;

8 (f) Of the right of the juvenile to a speedy adjudication hearing;  
9 and

10 (g) Of the right to appeal and have a transcript for such purpose.

11 After giving such warnings and admonitions, the court may accept an  
12 in-court admission or answer of no contest by the juvenile of all or any  
13 part of the allegations in the petition if the court has determined from  
14 examination of the juvenile and those present that such admission or  
15 answer of no contest is intelligently, voluntarily, and understandingly  
16 made and with an affirmative waiver of rights and that a factual basis  
17 for such admission or answer of no contest exists. The waiver of the  
18 right to counsel shall satisfy section 43-3102. The court may base its  
19 adjudication provided in subsection (2) of this section on such admission  
20 or answer of no contest.

21 (2) If the juvenile denies the petition or stands mute the court  
22 shall first allow a reasonable time for preparation if needed and then  
23 consider only the question of whether the juvenile is a person described  
24 by section 43-247. After hearing the evidence on such question, the court  
25 shall make a finding and adjudication, to be entered on the records of  
26 the court, whether or not the juvenile is a person described by  
27 subdivision (1), (2), (3)(b), or (4) of section 43-247 based upon proof  
28 beyond a reasonable doubt. If an Indian child is involved, the standard  
29 of proof shall be in compliance with the Nebraska Indian Child Welfare  
30 Act, if applicable.

31 (3) If the court shall find that the juvenile named in the petition

1 is not within the provisions of section 43-247, it shall dismiss the  
2 case. If the court finds that the juvenile named in the petition is such  
3 a juvenile, it shall make and enter its findings and adjudication  
4 accordingly, designating which subdivision or subdivisions of section  
5 43-247 such juvenile is within; the court shall allow a reasonable time  
6 for preparation if needed and then proceed to an inquiry into the proper  
7 disposition to be made of such juvenile.

8 Sec. 20. Section 43-280, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

10 43-280 No adjudication by the juvenile court upon the status of a  
11 juvenile shall be deemed a conviction nor shall the adjudication operate  
12 to impose any of the civil disabilities ordinarily resulting from  
13 conviction. The adjudication and the evidence given in the court shall  
14 not operate to disqualify such juvenile in any future civil or military  
15 service application or appointment. Any admission, answer of no contest,  
16 confession, or statement made by the juvenile in court and admitted by  
17 the court, in a proceeding under section 43-279, shall be inadmissible  
18 against such juvenile in any criminal or civil proceeding but may be  
19 considered by a court as part of a presentence investigation involving a  
20 subsequent transaction.

21 Sec. 21. Section 43-2,108, Revised Statutes Cumulative Supplement,  
22 2022, is amended to read:

23 43-2,108 (1) The juvenile court judge shall keep a record of all  
24 proceedings of the court in each case, including appearances, findings,  
25 orders, decrees, and judgments, and any evidence which he or she feels it  
26 is necessary and proper to record. The case file shall contain the  
27 complaint or petition and subsequent pleadings. The case file may be  
28 maintained as an electronic document through the court's electronic case  
29 management system, on microfilm, or in a paper volume and disposed of  
30 when determined by the State Records Administrator pursuant to the  
31 Records Management Act.

1           (2) Except as provided in subsections (3) and (4) of this section,  
2 the medical, psychological, psychiatric, and social welfare reports and  
3 the records of juvenile probation officers, as they relate to individual  
4 proceedings in the juvenile court, shall not be open to inspection,  
5 without order of the court. Such records shall be made available to a  
6 district court of this state or the District Court of the United States  
7 on the order of a judge thereof for the confidential use of such judge or  
8 his or her probation officer as to matters pending before such court but  
9 shall not be made available to parties or their counsel; and such  
10 district court records shall be made available to a county court or  
11 separate juvenile court upon request of the county judge or separate  
12 juvenile judge for the confidential use of such judge and his or her  
13 probation officer as to matters pending before such court, but shall not  
14 be made available by such judge to the parties or their counsel.

15           (3) As used in this section, confidential record information means  
16 all docket records, other than the pleadings, orders, decrees, and  
17 judgments; case files and records; reports and records of probation  
18 officers; and information supplied to the court of jurisdiction in such  
19 cases by any individual or any public or private institution, agency,  
20 facility, or clinic, which is compiled by, produced by, and in the  
21 possession of any court. In all cases under subdivision (3)(a) of section  
22 43-247, access to all confidential record information in such cases shall  
23 be granted only as follows: (a) The court of jurisdiction may, subject to  
24 applicable federal and state regulations, disseminate such confidential  
25 record information to any individual, or public or private agency,  
26 institution, facility, or clinic which is providing services directly to  
27 the juvenile and such juvenile's parents or guardian and his or her  
28 immediate family who are the subject of such record information; (b) the  
29 court of jurisdiction may disseminate such confidential record  
30 information, with the consent of persons who are subjects of such  
31 information, or by order of such court after showing of good cause, to

1 any law enforcement agency upon such agency's specific request for such  
2 agency's exclusive use in the investigation of any protective service  
3 case or investigation of allegations under subdivision (3)(a) of section  
4 43-247, regarding the juvenile or such juvenile's immediate family, who  
5 are the subject of such investigation; and (c) the court of jurisdiction  
6 may disseminate such confidential record information to any court, which  
7 has jurisdiction of the juvenile who is the subject of such information  
8 upon such court's request.

9 (4) The court shall provide copies of predispositional reports and  
10 evaluations of the juvenile to the juvenile's attorney and the county  
11 attorney or city attorney prior to any hearing in which the report or  
12 evaluation will be relied upon.

13 (5) In all cases under sections 43-246.01 and 43-247, the office of  
14 Inspector General of Nebraska Child Welfare may submit a written request  
15 to the probation administrator for access to the records of juvenile  
16 probation officers in a specific case. Upon a juvenile court order, the  
17 records shall be provided to the Inspector General within five days for  
18 the exclusive use in an investigation pursuant to the Office of Inspector  
19 General of Nebraska Child Welfare Act. Nothing in this subsection shall  
20 prevent the notification of death or serious injury of a juvenile to the  
21 Inspector General of Nebraska Child Welfare pursuant to section 43-4318  
22 as soon as reasonably possible after the Office of Probation  
23 Administration learns of such death or serious injury.

24 (6) In all cases under sections 43-246.01 and 43-247, the juvenile  
25 court shall disseminate confidential record information to the Foster  
26 Care Review Office pursuant to the Foster Care Review Act.

27 (7) Nothing in subsections (3), (5), and (6) of this section shall  
28 be construed to restrict the dissemination of confidential record  
29 information between any individual or public or private agency,  
30 institute, facility, or clinic, except any such confidential record  
31 information disseminated by the court of jurisdiction pursuant to this

1 section shall be for the exclusive and private use of those to whom it  
2 was released and shall not be disseminated further without order of such  
3 court.

4 (8)(a) Any records concerning a juvenile court petition filed  
5 pursuant to subdivision (3)(c) of section 43-247 shall remain  
6 confidential except as may be provided otherwise by law. Such records  
7 shall be accessible to (i) the juvenile except as provided in subdivision  
8 (b) of this subsection, (ii) the juvenile's counsel, (iii) the juvenile's  
9 parent or guardian, and (iv) persons authorized by an order of a judge or  
10 court.

11 (b) Upon application by the county attorney or by the director of  
12 the facility where the juvenile is placed and upon a showing of good  
13 cause therefor, a judge of the juvenile court having jurisdiction over  
14 the juvenile or of the county where the facility is located may order  
15 that the records shall not be made available to the juvenile if, in the  
16 judgment of the court, the availability of such records to the juvenile  
17 will adversely affect the juvenile's mental state and the treatment  
18 thereof.

19 (9) Nothing in subsection (3), (5), or (6) of this section shall be  
20 construed to restrict the immediate dissemination of a current picture  
21 and information about a child who is missing from a foster care or out-  
22 of-home placement. Such dissemination by the Office of Probation  
23 Administration shall be authorized by an order of a judge or court. Such  
24 information shall be subject to state and federal confidentiality laws  
25 and shall not include that the child is in the care, custody, or control  
26 of the Department of Health and Human Services or under the supervision  
27 of the Office of Probation Administration.

28 (10) Any juvenile court order that places a juvenile on electronic  
29 monitoring shall also state whether the data from such electronic  
30 monitoring device shall be made available to a law enforcement agency  
31 immediately upon request by such agency. For any juvenile subject to the

1 supervision of a probation officer, the name of the juvenile, the name of  
2 the juvenile's probation officer, and any terms of probation included in  
3 a juvenile court order otherwise open to inspection shall be provided to  
4 the Nebraska Commission on Law Enforcement and Criminal Justice which  
5 shall provide access to such information to law enforcement agencies  
6 through the state's criminal justice information service.

7       Sec. 22. Section 50-434, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9       50-434 (1) The Legislature finds that while serious crime in the  
10 State of Nebraska has not increased in the past five years, the prison  
11 population continues to increase as does the amount spent on correctional  
12 issues. The Legislature further finds that a need exists to closely  
13 examine the criminal justice system of the State of Nebraska in order to  
14 increase public safety while concurrently reducing correctional spending  
15 and reinvesting in strategies that decrease crime and strengthen Nebraska  
16 communities.

17       (2) It is the intent of the Legislature that the State of Nebraska  
18 work cooperatively with the Council of State Governments Justice Center  
19 to study and identify innovative solutions and evidence-based practices  
20 to develop a data-driven approach to reduce correctional spending and  
21 reinvest savings in strategies that can decrease recidivism and increase  
22 public safety and for the executive, legislative, and judicial branches  
23 of Nebraska state government to work with the Council of State  
24 Governments Justice Center in this process.

25       (3) The Committee on Justice Reinvestment Oversight is created as a  
26 special legislative committee to maintain continuous oversight of the  
27 Nebraska Justice Reinvestment Initiative and related issues.

28       (4) The special legislative committee shall be comprised of five  
29 members of the Legislature selected by the Executive Board of the  
30 Legislative Council, including the chairperson of the Judiciary Committee  
31 of the Legislature who shall serve as chairperson of the special

1 legislative committee.

2 (5) The Committee on Justice Reinvestment Oversight shall monitor  
3 and guide analysis and policy development in all aspects of the criminal  
4 justice system in Nebraska within the scope of the justice reinvestment  
5 initiative, including tracking implementation of evidence-based  
6 strategies as established in Laws 2015, LB605, and reviewing policies to  
7 improve public safety, reduce recidivism, and reduce spending on  
8 corrections in Nebraska. With assistance from the Council of State  
9 Governments Justice Center, the committee shall monitor performance and  
10 measure outcomes by collecting data from counties and relevant state  
11 agencies for analysis and reporting.

12 (6) The committee shall prepare and submit an annual report of its  
13 activities and findings and may make recommendations to improve any  
14 aspect of the criminal justice system. The committee shall deliver the  
15 report to the Governor, the Clerk of the Legislature, and the Chief  
16 Justice by September 1 of each year. The report to the clerk shall be  
17 delivered electronically.

18 (7) The committee terminates on September 30, 2023.

19 Sec. 23. Section 69-2426, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 69-2426 (1) Any firearm dealer licensed pursuant to 18 U.S.C. 923  
22 Dealers of firearms shall distribute to all firearm purchasers:

23 (a) Information ~~information~~ developed by the Department of Health  
24 and Human Services regarding the dangers of leaving loaded firearms  
25 unattended around children; and -

26 (b) Information on suicide prevention, including materials that  
27 provide evidence-based information aligned with best practices in suicide  
28 prevention. Such materials shall include information on the 988 Suicide  
29 and Crisis Lifeline or other similar resources. The Nebraska State Patrol  
30 shall maintain and publish a list of materials that may be used to comply  
31 with this subdivision.

1 (2) There is hereby created the Firearm Information Fund. Private  
2 contributions shall be credited by the State Treasurer to such fund for  
3 the implementation of the provisions of this section.

4 Sec. 24. Section 69-2432, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 69-2432 (1) The Nebraska State Patrol shall prepare and publish  
7 minimum training and safety requirements for and adopt and promulgate  
8 rules and regulations governing handgun training and safety courses and  
9 handgun training and safety course instructors. Minimum safety and  
10 training requirements for a handgun training and safety course shall  
11 include, but not be limited to:

12 (a) Knowledge and safe handling of a handgun;

13 (b) Knowledge and safe handling of handgun ammunition;

14 (c) Safe handgun shooting fundamentals;

15 (d) A demonstration of competency with a handgun with respect to the  
16 minimum safety and training requirements;

17 (e) Knowledge of federal, state, and local laws pertaining to the  
18 purchase, ownership, transportation, and possession of handguns;

19 (f) Knowledge of federal, state, and local laws pertaining to the  
20 use of a handgun, including, but not limited to, use of a handgun for  
21 self-defense and laws relating to justifiable homicide and the various  
22 degrees of assault;

23 (g) Knowledge of ways to avoid a criminal attack and to defuse or  
24 control a violent confrontation;~~and~~

25 (h) Knowledge of proper storage practices for handguns and  
26 ammunition, including storage practices which would reduce the  
27 possibility of accidental injury to a child; and -

28 (i) Suicide prevention training. Such training shall consist of  
29 evidence-based information aligned with best practices in suicide  
30 prevention.

31 (2) A person or entity conducting a handgun training and safety

1 course and the course instructors shall be approved by the patrol before  
2 operation. The patrol shall issue a certificate evidencing its approval.

3 (3) A certificate of completion of a handgun training and safety  
4 course shall be issued by the person or entity conducting a handgun  
5 training and safety course to persons successfully completing the course.  
6 The certificate of completion shall also include certification from the  
7 instructor that the person completing the course does not suffer from a  
8 readily discernible physical infirmity that prevents the person from  
9 safely handling a handgun.

10 (4) Any fee for participation in a handgun training and safety  
11 course is the responsibility of the applicant.

12 Sec. 25. Section 71-5661, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 71-5661 (1) The financial incentives provided by the Rural Health  
15 Systems and Professional Incentive Act shall consist of (a) student loans  
16 to eligible students for attendance at an eligible school as determined  
17 pursuant to section 71-5662, (b) the repayment of qualified educational  
18 debts owed by physicians and psychiatrists in an approved medical  
19 specialty residency program in Nebraska as determined pursuant to section  
20 71-5662, and (c) the repayment of qualified educational debts owed by  
21 eligible health professionals as determined pursuant to section 71-5662.  
22 Funds for such incentives shall be appropriated from the General Fund to  
23 the department for such purposes.

24 (2) The Rural Health Professional Incentive Fund is created. The  
25 fund shall be used to carry out the purposes of the act, except that  
26 transfers may be made from the fund to the General Fund at the direction  
27 of the Legislature. Money credited pursuant to section 71-5670.01 and  
28 payments received pursuant to sections 71-5666, 71-5668, and 71-5669.01  
29 shall be remitted to the State Treasurer for credit to the Rural Health  
30 Professional Incentive Fund. Any money in the fund available for  
31 investment shall be invested by the state investment officer pursuant to

1 the Nebraska Capital Expansion Act and the Nebraska State Funds  
2 Investment Act.

3 Sec. 26. Section 71-5662, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 71-5662 (1) To be eligible for a student loan under the Rural Health  
6 Systems and Professional Incentive Act, an applicant or a recipient shall  
7 be enrolled or accepted for enrollment in an accredited medical or dental  
8 education program or physician assistant education program or an approved  
9 mental health practice program in Nebraska.

10 (2) To be eligible for the medical resident incentive under the act,  
11 an applicant or a recipient shall be enrolled or accepted for enrollment  
12 in an approved medical specialty residency program in Nebraska.

13 (3) To be eligible for loan repayment under the act, an applicant or  
14 a recipient shall be a pharmacist, a dentist, a physical therapist, an  
15 occupational therapist, a mental health practitioner, a psychologist  
16 licensed under the requirements of section 38-3114 or the equivalent  
17 thereof, a nurse practitioner, a physician assistant, a psychiatrist, or  
18 a physician in an approved specialty and shall be licensed to practice in  
19 Nebraska, not be enrolled in a residency program, not be practicing under  
20 a provisional or temporary license, and enter practice in a designated  
21 health profession shortage area in Nebraska.

22 Sec. 27. Section 71-5663, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24 71-5663 (1) The amount of financial assistance provided through  
25 student loans pursuant to the Rural Health Systems and Professional  
26 Incentive Act shall be limited to thirty thousand dollars for each  
27 recipient for each academic year and, except as provided in subdivision  
28 (4)(a) of this section, shall not exceed one hundred twenty thousand  
29 dollars per medical, dental, or doctorate-level mental health student or  
30 thirty thousand dollars per master's level mental health or physician  
31 assistant student.

1 (2) The amount of financial assistance provided through the medical  
2 resident incentive program pursuant to the act shall be limited to forty  
3 thousand dollars for each recipient for each year of residency and,  
4 except as provided in subdivision (4)(b) of this section, shall not  
5 exceed one hundred twenty thousand dollars.

6 (3) The amount of financial assistance provided by the state through  
7 loan repayments pursuant to the act (a) for physicians, psychiatrists,  
8 dentists, and psychologists shall be limited to thirty thousand dollars  
9 per recipient per year of full-time practice in a designated health  
10 profession shortage area and, except as provided in subdivision (4)(c) of  
11 this section, shall not exceed ninety thousand dollars per recipient and  
12 (b) for physician assistants, nurse practitioners, pharmacists, physical  
13 therapists, occupational therapists, and mental health practitioners  
14 shall be limited to fifteen thousand dollars per recipient per year of  
15 full-time practice in a designated health profession shortage area and,  
16 except as provided in subdivision (4)(c) of this section, shall not  
17 exceed forty-five thousand dollars per recipient.

18 (4)(a) The total amount of financial assistance provided through  
19 student loans for a doctorate-level mental health student or master's  
20 level mental health student shall be the full amount of such loans for a  
21 person who practices psychiatry, psychology, or mental health practice:

22 (i) For at least five years in a designated health profession  
23 shortage area; and

24 (ii) If all or a majority of such practice consists of the treatment  
25 of members of the community supervision population.

26 (b) The total amount of financial assistance provided through the  
27 medical resident incentive program for a psychiatrist shall be the full  
28 amount of such psychiatrist's qualified educational debts if such person  
29 practices psychiatry:

30 (i) For at least five years in a designated health profession  
31 shortage area; and

1        (ii) If all or a majority of such practice consists of the treatment  
2 of members of the community supervision population.

3        (c) The total amount of financial assistance provided through loan  
4 repayments pursuant to the act for psychiatrists, psychologists, and  
5 mental health practitioners shall be the full amount of such person's  
6 qualified educational debts if such person practices psychiatry,  
7 psychology, or mental health practice:

8        (i) For at least five years in a designated health profession  
9 shortage area; and

10       (ii) If all or a majority of such practice consists of the treatment  
11 of members of the community supervision population.

12       (5) For purposes of this section, community supervision population  
13 means persons on probation, post-release supervision, and pretrial  
14 release.

15       Sec. 28. Section 71-5665, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17       71-5665 The commission shall periodically designate health  
18 profession shortage areas within the state for the following professions:  
19 Medicine and surgery, psychiatry, physician assistants' practice, nurse  
20 practitioners' practice, psychology, and mental health practitioner's  
21 practice. The commission shall also periodically designate separate  
22 health profession shortage areas for each of the following professions:  
23 Pharmacy, dentistry, physical therapy, and occupational therapy. In  
24 making such designations the commission shall consider, after  
25 consultation with other appropriate agencies concerned with health  
26 services and with appropriate professional organizations, among other  
27 factors:

28       (1) The latest reliable statistical data available regarding the  
29 number of health professionals practicing in an area and the population  
30 to be served by such practitioners;

31       (2) Inaccessibility of health care services to residents of an area;

- 1 (3) Particular local health problems;
- 2 (4) Age or incapacity of local practitioners rendering services; and
- 3 (5) Demographic trends in an area both past and future.

4 Sec. 29. Section 71-5666, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 71-5666 Each student loan recipient shall execute an agreement with  
7 the state. Such agreement shall be exempt from the requirements of  
8 sections 73-501 to 73-510 and shall include the following terms, as  
9 appropriate:

10 (1) The borrower agrees to practice the equivalent of one year of  
11 full-time practice of an approved specialty in a designated health  
12 profession shortage area in Nebraska for each year of education for which  
13 a loan is received, or a longer period as required in subdivision (4)(a)  
14 of section 71-5663, and agrees to accept medicaid patients in his or her  
15 practice;

16 (2) If the borrower practices an approved specialty in a designated  
17 health profession shortage area in Nebraska, the loan shall be forgiven  
18 as provided in this section and subdivision (4)(a) of section 71-5663.  
19 Practice in a designated area shall commence within three months of the  
20 completion of formal education, which may include a period not to exceed  
21 five years to complete specialty training in an approved specialty. The  
22 commission may approve exceptions to any period required for completion  
23 of training upon showing good cause. Loan forgiveness shall occur on a  
24 quarterly basis, with completion of the equivalent of three months of  
25 full-time practice resulting in the cancellation of one-fourth of the  
26 annual loan amount. Part-time practice in a shortage area shall result in  
27 a prorated reduction in the cancellation of the loan amount;

28 (3) If the borrower practices an approved specialty in Nebraska but  
29 not in a designated health profession shortage area, practices a  
30 specialty other than an approved specialty in Nebraska, does not practice  
31 the profession for which the loan was given, discontinues practice of the

1 profession for which the loan was given, or practices outside Nebraska,  
2 the borrower shall repay one hundred fifty percent of the outstanding  
3 loan principal with interest at a rate of eight percent simple interest  
4 per year from the date of default. Such repayment shall commence within  
5 six months of the completion of formal education, which may include a  
6 period not to exceed five years to complete specialty training in an  
7 approved specialty, and shall be completed within a period not to exceed  
8 twice the number of years for which loans were awarded;

9 (4) If a borrower who is a medical, dental, or doctorate-level  
10 mental health student determines during the first or second year of  
11 medical, dental, or doctorate-level mental health education that his or  
12 her commitment to the loan program cannot be honored, the borrower may  
13 repay the outstanding loan principal, plus six percent simple interest  
14 per year from the date the loan was granted, prior to graduation from  
15 medical or dental school or a mental health practice program without  
16 further penalty or obligation. Master's level mental health and physician  
17 assistant student loan recipients shall not be eligible for this  
18 provision;

19 (5) If the borrower discontinues the course of study for which the  
20 loan was granted, the borrower shall repay one hundred percent of the  
21 outstanding loan principal. Such repayment shall commence within six  
22 months of the date of discontinuation of the course of study and shall be  
23 completed within a period of time not to exceed the number of years for  
24 which loans were awarded;~~and~~

25 (6) Any practice or payment obligation incurred by the student loan  
26 recipient under the student loan program is canceled in the event of the  
27 student loan recipient's total and permanent disability or death; and -

28 (7) For a borrower seeking benefits under subdivision (4)(a) of  
29 section 71-5663, the borrower agrees to such other terms as the  
30 department deems appropriate.

31 Sec. 30. Section 71-5668, Revised Statutes Cumulative Supplement,

1 2022, is amended to read:

2 71-5668 Each loan repayment recipient shall execute an agreement  
3 with the department and a local entity. Such agreement shall be exempt  
4 from the requirements of sections 73-501 to 73-510 and shall include, at  
5 a minimum, the following terms:

6 (1) The loan repayment recipient agrees to practice his or her  
7 profession, and a physician, psychiatrist, dentist, nurse practitioner,  
8 or physician assistant also agrees to practice an approved specialty, in  
9 a designated health profession shortage area for at least three years, or  
10 the period required by subdivision (4)(c) of section 71-5663, and to  
11 accept medicaid patients in his or her practice;

12 (2) In consideration of the agreement by the recipient, the State of  
13 Nebraska and a local entity within the designated health profession  
14 shortage area will provide equal funding for the repayment of the  
15 recipient's qualified educational debts except as provided in subdivision  
16 (5) of this section, in amounts up to thirty thousand dollars per year  
17 per recipient for physicians, psychiatrists, dentists, and psychologists  
18 and up to fifteen thousand dollars per year per recipient for physician  
19 assistants, nurse practitioners, pharmacists, physical therapists,  
20 occupational therapists, and mental health practitioners toward qualified  
21 educational debts for up to three years or a longer period as required by  
22 subdivision (4)(c) of section 71-5663. The department shall make payments  
23 directly to the recipient;

24 (3) If the loan repayment recipient discontinues practice in the  
25 shortage area prior to completion of the three-year requirement or the  
26 period required by subdivision (4)(c) of section 71-5663, as applicable,  
27 the recipient shall repay to the state one hundred fifty percent of the  
28 total amount of funds provided to the recipient for loan repayment with  
29 interest at a rate of eight percent simple interest per year from the  
30 date of default. Upon repayment by the recipient to the department, the  
31 department shall reimburse the local entity its share of the funds which

1 shall not be more than the local entity's share paid to the loan  
2 repayment recipient;

3 (4) Any practice or payment obligation incurred by the loan  
4 repayment recipient under the loan repayment program is canceled in the  
5 event of the loan repayment recipient's total and permanent disability or  
6 death; ~~and~~

7 (5) For a loan repayment recipient seeking benefits under  
8 subdivision (4)(c) of section 71-5663, the recipient agrees to such other  
9 terms as the department deems appropriate; and

10 (6) ~~(5)~~ Beginning on July 1, 2022, any agreements entered into by  
11 December 31, 2024, shall first use federal funds from the federal  
12 American Rescue Plan Act of 2021 for the purposes of repaying qualified  
13 educational debts prior to using any state or local funds. Agreements  
14 using federal funds from the federal American Rescue Plan Act of 2021  
15 shall not require equal funding from a local entity. Any federal funds  
16 from the act committed to agreements during this time period shall be  
17 used by December 31, 2026.

18 Sec. 31. Section 71-5669.01, Reissue Revised Statutes of Nebraska,  
19 is amended to read:

20 71-5669.01 Each medical resident incentive recipient shall execute  
21 an agreement with the department. Such agreement shall be exempt from the  
22 requirements of sections 73-501 to 73-510 and shall include, at a  
23 minimum, the following terms:

24 (1) The medical resident incentive recipient agrees to practice an  
25 approved medical specialty the equivalent of one year of full-time  
26 practice in a designated health profession shortage area, or for a longer  
27 period as required by subdivision (4)(b) of section 71-5663, and to  
28 accept medicaid patients in his or her practice;

29 (2) In consideration of the agreement by the medical resident  
30 incentive recipient, the State of Nebraska will provide funding for the  
31 repayment of the recipient's qualified educational debts, in amounts up

1 to forty thousand dollars per year for up to three years while in an  
2 approved medical specialty residency program in Nebraska, or for a longer  
3 period as required by subdivision (4)(b) of section 71-5663. The  
4 department shall make payments directly to the medical resident incentive  
5 recipient;

6 (3) If the medical resident incentive recipient extends his or her  
7 residency training but not in an approved specialty, practices an  
8 approved specialty in Nebraska but not in a designated health profession  
9 shortage area, practices a specialty other than an approved specialty in  
10 Nebraska, does not practice the profession for which the loan was given,  
11 discontinues practice of the profession for which the loan was given, or  
12 practices outside Nebraska, the medical resident incentive recipient  
13 shall repay to the state one hundred fifty percent of the outstanding  
14 loan principal with interest at a rate of eight percent simple interest  
15 per year from the date of default. Such repayment shall commence within  
16 six months of the completion or discontinuation of an approved specialty  
17 residency training in Nebraska and shall be completed within a period not  
18 to exceed twice the number of years for which the medical resident  
19 incentive recipient received awards;~~and~~

20 (4) Any practice or payment obligation incurred by the medical  
21 resident incentive recipient under the medical resident incentive program  
22 is canceled in the event of the medical resident incentive recipient's  
23 total and permanent disability or death; and -

24 (5) For a medical resident incentive recipient seeking benefits  
25 under subdivision (4)(b) of section 71-5663, the recipient agrees to such  
26 other terms as the department deems appropriate.

27 Sec. 32. Section 83-1,100.02, Revised Statutes Cumulative  
28 Supplement, 2022, is amended to read:

29 83-1,100.02 (1) For purposes of this section:

30 (a) Levels of supervision means the determination of the following  
31 for each person on parole:

1 (i) Supervision contact requirements, including the frequency,  
2 location, methods, and nature of contact with the parole officer;

3 (ii) Substance abuse testing requirements and frequency;

4 (iii) Contact restrictions;

5 (iv) Curfew restrictions;

6 (v) Access to available programs and treatment, with priority given  
7 to moderate-risk and high-risk parolees; and

8 (vi) Severity of graduated responses to violations of supervision  
9 conditions;~~and~~

10 (b) Responsivity factors means characteristics of a parolee that  
11 affect the parolee's ability to respond favorably or unfavorably to any  
12 treatment goals; and

13 (c) ~~(b)~~ Risk and needs assessment means an actuarial tool that has  
14 been validated in Nebraska to determine the likelihood of the parolee  
15 engaging in future criminal behavior.

16 (2) The Division of Parole Supervision shall establish an evidence-  
17 based process that utilizes a risk and needs assessment to measure  
18 criminal risk factors, ~~and~~ specific individual needs, and responsivity  
19 factors.

20 (3) The risk and needs assessment shall be performed at the  
21 commencement of the parole term and every six months thereafter by  
22 division staff trained and certified in the use of the risk and needs  
23 assessment.

24 (4) The validity of the risk and needs assessment shall be tested at  
25 least every five years.

26 (5) Based on the results of the risk and needs assessment, the  
27 division shall target parolee criminal risk and need factors by focusing  
28 sanction, program, and treatment resources on moderate-risk and high-risk  
29 parolees.

30 (6) The division shall provide training to its parole officers on  
31 (a) use of a risk and needs assessment, (b) risk-based supervision

1 strategies, (c) relationship skills, (d) cognitive behavioral  
2 interventions, (e) community-based resources, (f) criminal risk factors,  
3 (g) targeting criminal risk factors to reduce recidivism, (h) and proper  
4 use of a matrix of administrative sanctions, custodial sanctions, and  
5 rewards developed pursuant to section 83-1,119, and (i) addressing  
6 responsivity factors. All parole officers employed on August 30, 2015,  
7 shall complete the training requirements set forth in this subsection on  
8 or before January 1, 2017. Each parole officer hired on or after August  
9 30, 2015, shall complete the training requirements set forth in this  
10 subsection within one year after his or her hire date or September 1,  
11 2024, whichever is later.

12 (7) The division shall provide training for chief parole officers to  
13 become trainers so as to ensure long-term and self-sufficient training  
14 capacity in the state.

15 Sec. 33. Section 83-1,110, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 83-1,110 (1) Every committed offender shall be eligible for parole  
18 upon the earliest of the following:

19 (a) When when the offender has served one-half the minimum term of  
20 his or her sentence as provided in sections 83-1,107 and 83-1,108; or -

21 (b) For a committed offender serving a maximum term of:

22 (i) Twelve years or less, two years prior to the offender's  
23 mandatory discharge date;

24 (ii) Sixteen years or less, three years prior to the offender's  
25 mandatory discharge date;

26 (iii) Twenty years or less, four years prior to the offender's  
27 mandatory discharge date; or

28 (iv) More than twenty years, five years prior to the offender's  
29 mandatory discharge date.

30 (2) The board shall conduct a parole review not later than sixty  
31 days prior to the date a committed offender becomes eligible for parole

1 as provided in this subsection, except that if a committed offender is  
2 eligible for parole upon his or her commitment to the department, a  
3 parole review shall occur as early as is practical. No such reduction of  
4 sentence shall be applied to any sentence imposing a mandatory minimum  
5 term.

6 (3)(a) This subsection applies to any ~~(2) Every~~ committed offender  
7 sentenced to consecutive terms, whether received at the same time or at  
8 any time during the original sentence, ~~shall be eligible for release on~~  
9 ~~parole when the offender has served the total of one-half the minimum~~  
10 ~~term as provided in sections 83-1,107 and 83-1,108.~~

11 (b) The maximum terms shall be added to compute the new maximum term  
12 which, less good time, shall determine the date when discharge from the  
13 custody of the state becomes mandatory.

14 (c) The committed offender shall be eligible for release on parole  
15 upon the earliest of the following:

16 (i) When the offender has served the total of one-half the minimum  
17 term as provided in sections 83-1,107 and 83-1,108; or

18 (ii) For a committed offender serving a maximum term of:

19 (A) Twelve years or less, two years prior to the offender's  
20 mandatory discharge date;

21 (B) Sixteen years or less, three years prior to the offender's  
22 mandatory discharge date;

23 (C) Twenty years or less, four years prior to the offender's  
24 mandatory discharge date; or

25 (D) More than twenty years, five years prior to the offender's  
26 mandatory discharge date.

27 Sec. 34. (1) A committed offender may be eligible for geriatric  
28 parole if the committed offender:

29 (a) Is not serving a sentence for a Class I, IA, or IB felony; is  
30 not serving a sentence for an offense that includes as an element sexual  
31 contact or sexual penetration; and is not otherwise serving a sentence of

1 life imprisonment;

2 (b) Is seventy-five years of age or older; and

3 (c) Has served at least fifteen years of the sentence for which  
4 currently incarcerated.

5 (2) A committed offender may be eligible for geriatric parole in  
6 addition to any other parole. The department shall identify committed  
7 offenders who may be eligible for geriatric parole.

8 (3) The board shall decide to grant geriatric parole only after a  
9 review of the decision guidelines as set forth in the board's rules and  
10 regulations and the factors set forth in section 83-1,114.

11 (4) The parole term of a geriatric parolee shall be for the  
12 remainder of the parolee's sentence as reduced by any adjustment for good  
13 conduct pursuant to the Nebraska Treatment and Corrections Act.

14 (5) The board shall require as a condition of geriatric parole that  
15 the parolee wear or use an electronic monitoring device for a period of  
16 at least eighteen months. For purposes of this subsection, electronic  
17 monitoring device means a device worn by or affixed to a person which is  
18 used to track the physical location of such person.

19 Sec. 35. Section 83-1,111, Revised Statutes Cumulative Supplement,  
20 2022, is amended to read:

21 83-1,111 (1)(a) ~~(1)~~ A committed offender serving an indeterminate  
22 sentence under which he or she may become eligible for parole shall be  
23 interviewed and have his or her record reviewed by two or more members of  
24 the board ~~Board of Parole~~ or a person designated by the board within  
25 sixty days before the expiration of his or her minimum term less any  
26 reductions as provided in section 83-1,110.

27 (b) If the committed offender is a qualified offender as defined in  
28 section 36 of this act, the committed offender shall enter into a  
29 streamlined parole contract as provided in such section.

30 (2) If the committed offender is a qualified offender, the review  
31 shall be limited to verifying that the committed offender is a qualified

1 offender and whether the committed offender has already fulfilled the  
2 streamlined parole contract. If the committed offender has not yet  
3 fulfilled the streamlined parole contract, a subsequent review shall be  
4 set for the date the committed offender will fulfill the streamlined  
5 parole contract, assuming the committed offender will meet the  
6 requirements of subsection (3) of section 36 of this act.

7 (3)(a) This subsection applies if the committed offender is not a  
8 qualified offender or has been found at a review under subsection (2) of  
9 this section to have not fulfilled the terms of the streamlined parole  
10 contract. If, in the opinion of the reviewers, the review indicates the  
11 offender is reasonably likely to be granted parole and has a potential  
12 parole term of no less than one month, the board ~~Board of Parole~~ shall  
13 schedule a public hearing before a majority of its members. At such  
14 hearing the offender may present evidence, call witnesses, and be  
15 represented by counsel. If, in the opinion of the reviewers, the review  
16 indicates the offender should be denied parole, the offender may request  
17 an additional review by a majority of the members of the board. A review  
18 by the majority of the members of the board may be conducted not more  
19 than once annually. Any hearing and review shall be conducted in an  
20 informal manner, but a complete record of the proceedings shall be made  
21 and preserved.

22 (b) {2} The board shall render its decision regarding the committed  
23 offender's release on parole within a reasonable time after the hearing  
24 or review. The decision shall be by majority vote of the board. The  
25 decision shall be based on the entire record before the board which shall  
26 include the opinion of the person who conducted the review. If the board  
27 denies parole, written notification listing the reasons for such denial  
28 and the recommendations for correcting deficiencies which cause the  
29 denial shall be given to the committed offender within thirty days  
30 following the hearing.

31 (c) {3} If the board fixes the release date, such date shall be not

1 more than six months from the date of the committed offender's parole  
2 hearing or from the date of last reconsideration of his or her case,  
3 unless there are special reasons for fixing a later release date.

4 (d) (4) If the board defers the case for later reconsideration, the  
5 committed offender shall be afforded a parole review at least once a year  
6 until a release date is fixed. The board may order a reconsideration or a  
7 rehearing of the case at any time.

8 (4) (5) The release of a committed offender on parole shall not be  
9 upon the application of the offender but by the initiative of the board  
10 ~~Board of Parole~~. No application for release on parole made by a committed  
11 offender or on his or her behalf shall be entertained by the board. This  
12 subsection does not prohibit the Director of Correctional Services from  
13 recommending to the board that it consider an individual offender for  
14 release on parole.

15 Sec. 36. (1) A qualified offender serving a sentence imposed prior  
16 to the effective date of this act who has not yet received a review from  
17 the board shall, at the review, enter into a streamlined parole contract  
18 under this section.

19 (2) A qualified offender serving a sentence imposed on or after the  
20 effective date of this act shall, at the qualified offender's first  
21 review from the board, enter into a streamlined parole contract under  
22 this section.

23 (3) Under a streamlined parole contract, a qualified offender shall  
24 be released on parole on the qualified offender's parole eligibility  
25 date, without a hearing before the board, if:

26 (a) In the twenty-four-month period prior to the eligibility date,  
27 the qualified offender has not committed a Class I offense under the  
28 department's disciplinary code; and

29 (b) The qualified offender has completed all diagnostic evaluations  
30 provided by the department and any programming or treatment required by  
31 the department for substance abuse, sex offenses, and violence reduction.

1       (4) If a qualified offender does not meet the requirements of  
2 subsection (3) of this section, the board shall consider the offender's  
3 parole eligibility as provided for nonqualified offenders under section  
4 83-1,111.

5       (5) For purposes of this section:

6       (a) Qualified offender means a committed offender who is serving an  
7 indeterminate sentence under which the committed offender may become  
8 eligible for parole and who is not serving a sentence for a violent  
9 felony;

10       (b) Serious bodily injury has the same meaning as in section 28-109;

11       (c) Sexual contact and sexual penetration have the same meanings as  
12 in section 28-318; and

13       (d) Violent felony means an offense which is a Class IIIA felony or  
14 higher and;

15       (i) Which includes, as an element of the offense:

16       (A) Sexual contact or sexual penetration;

17       (B) The threat to inflict serious bodily injury or death on another  
18 person, the infliction of serious bodily injury on another person, or  
19 causing the death of another person; or

20       (C) The use of physical force against another person; or

21       (ii) Which consists of attempt, conspiracy, being an accessory to,  
22 or aiding and abetting a felony with any of the offenses described in  
23 subdivision (5)(d)(i) of this section as the underlying offense.

24       Sec. 37. Section 83-1,114, Revised Statutes Cumulative Supplement,  
25 2022, is amended to read:

26       83-1,114 (1) Whenever the board considers the release of a committed  
27 offender who is eligible for release on parole, it shall order his or her  
28 release unless it is of the opinion that his or her release should be  
29 deferred because:

30       (a) There is a substantial risk that he or she will not conform to  
31 the conditions of parole;

1 (b) His or her release would depreciate the seriousness of his or  
2 her crime or promote disrespect for law;

3 (c) His or her release would have a substantially adverse effect on  
4 institutional discipline; or

5 (d) His or her continued correctional treatment, medical care, or  
6 vocational or other training in the facility will substantially enhance  
7 his or her capacity to lead a law-abiding life when released at a later  
8 date.

9 (2) In making its determination regarding a committed offender's  
10 release on parole, the board shall give consideration to the its decision  
11 guidelines as set forth in its rules and regulations and shall take into  
12 account each of the following factors:

13 ~~(a) The offender's personality, including his or her maturity,~~  
14 ~~stability, and sense of responsibility and any apparent development in~~  
15 ~~his or her personality which may promote or hinder his or her conformity~~  
16 ~~to law;~~

17 (a) (b) The adequacy of the offender's parole plan, including  
18 sufficiency of residence, employment history, and employability;

19 ~~(c) The offender's ability and readiness to assume obligations and~~  
20 ~~undertake responsibilities;~~

21 ~~(d) The offender's intelligence and training;~~

22 ~~(e) The offender's family status and whether he or she has relatives~~  
23 ~~who display an interest in him or her or whether he or she has other~~  
24 ~~close and constructive associations in the community;~~

25 ~~(f) The offender's employment history, his or her occupational~~  
26 ~~skills, and the stability of his or her past employment;~~

27 ~~(g) The type of residence, neighborhood, or community in which the~~  
28 ~~offender plans to live;~~

29 ~~(h) The offender's past use of narcotics or past habitual and~~  
30 ~~excessive use of alcohol;~~

31 ~~(i) The offender's mental or physical makeup, including any~~

1 ~~disability or handicap which may affect his or her conformity to law;~~

2 ~~(b) (j) The offender's prior criminal record, including the nature~~  
3 ~~and circumstances, dates, and frequency of previous offenses;~~

4 ~~(k) The offender's attitude toward law and authority;~~

5 ~~(l) The offender's conduct in the facility, including particularly~~  
6 ~~whether he or she has taken advantage of the opportunities for self-~~  
7 ~~improvement, whether he or she has been punished for misconduct within~~  
8 ~~six months prior to his or her hearing or reconsideration for parole~~  
9 ~~release, whether any reductions of term have been forfeited, and whether~~  
10 ~~such reductions have been restored at the time of hearing or~~  
11 ~~reconsideration;~~

12 ~~(c) (m) The offender's institutional behavior and attitude during~~  
13 ~~any previous experience of probation or parole and how recent such~~  
14 ~~experience is;~~

15 ~~(d) The offender's previous experience on parole and how recent such~~  
16 ~~experience is;~~

17 ~~(e) Whether the offender has completed a (n) ~~The risk and needs~~~~

18 ~~assessment completed pursuant to section 83-192; and~~

19 ~~(f) Any testimony or written statement by a victim as provided in~~  
20 ~~section 81-1848.~~

21 ~~(o) Any other factors the board determines to be relevant.~~

22 Sec. 38. Section 83-1,122.01, Revised Statutes Cumulative  
23 Supplement, 2022, is amended to read:

24 83-1,122.01 (1) Except as provided in subsection (3) of this  
25 section, the board does not have jurisdiction over a person who is  
26 committed to the department in accordance with section 29-2204.02 for a  
27 Class III, IIIA, or IV felony committed on or after August 30, 2015,  
28 unless the person is also committed to the department in accordance with  
29 section 29-2204 for (a) a sentence of imprisonment for a Class III, IIIA,  
30 or IV felony committed prior to August 30, 2015, or (b) a sentence of  
31 imprisonment for a Class I, IA, IB, IC, ID, II, or IIA felony.

1 (2) Except as provided in subsection (3) of this section, the board  
2 does not have jurisdiction over a person committed to the department for  
3 a misdemeanor sentence imposed consecutively or concurrently with a Class  
4 III, IIIA, or IV felony sentence for an offense committed on or after  
5 August 30, 2015, unless the person is also committed to the department in  
6 accordance with section 29-2204 for (a) a sentence of imprisonment for a  
7 Class III, IIIA, or IV felony committed prior to August 30, 2015, or (b)  
8 a sentence of imprisonment for a Class I, IA, IB, IC, ID, II, or IIA  
9 felony.

10 (3) This section does not apply to medical parole under section  
11 83-1,110.02 or geriatric parole under section 34 of this act.

12 Sec. 39. Section 83-1,125.01, Revised Statutes Cumulative  
13 Supplement, 2022, is amended to read:

14 83-1,125.01 (1) The Board of Parole and the Division of Parole  
15 Supervision may maintain an individual file for each person who is under  
16 the jurisdiction of the Board of Parole. Such file may be maintained  
17 electronically and shall include, when available and appropriate, the  
18 following information on such person:

- 19 (a) Admission summary;
- 20 (b) Presentence investigation report;
- 21 (c) Classification reports and recommendations;
- 22 (d) Official records of conviction and commitment along with any  
23 earlier criminal records;
- 24 (e) Progress reports and admission-orientation reports;
- 25 (f) Reports of any disciplinary infractions and their disposition;
- 26 (g) Risk and needs assessments;
- 27 (h) Parole plan and parole placement and investigation worksheets;
- 28 (i) Decision guideline scores;
- 29 (j) Parole case plan;
- 30 (k) Parole progress reports and contact notes;
- 31 (l) Arrest and violation reports, including disposition;

- 1 (m) Parole proceedings orders and notices;
- 2 (n) Other documents related to parole supervision;
- 3 (o) Correspondence; and
- 4 (p) Other pertinent data concerning his or her background, conduct,
- 5 associations, and family relationships.

6 (2) Any decision concerning release on or revocation of parole or  
7 imposition of sanctions shall be made only after the individual file has  
8 been reviewed. The contents of the individual file shall be confidential  
9 unless disclosed in connection with a public hearing and shall not be  
10 subject to public inspection except by court order for good cause shown.  
11 The contents of the file shall not be accessible to any person under the  
12 jurisdiction of the Board of Parole. A person under the jurisdiction of  
13 the board may obtain access to his or her medical records by request to  
14 the provider pursuant to sections 71-8401 to 71-8407 notwithstanding the  
15 fact that such medical records may be a part of his or her parole file.  
16 The board and the Division of Parole Supervision have the authority to  
17 withhold decision guideline scores, risk and needs assessment scores, and  
18 mental health and psychological records of a person under the  
19 jurisdiction of the board when appropriate.

20 (3) Nothing in this section limits in any manner the authority of  
21 the Public Counsel to inspect and examine the records and documents of  
22 the board and the Division of Parole Supervision pursuant to sections  
23 81-8,240 to 81-8,254, except that the Public Counsel's access to the  
24 medical or mental health records of a person under the jurisdiction of  
25 the board shall be subject to his or her consent. The office of Public  
26 Counsel shall not disclose the medical or mental health records of a  
27 person under the jurisdiction of the board to anyone else, including any  
28 other person under the jurisdiction of the board, except as authorized by  
29 law.

30 (4) For any person under the jurisdiction of the Board of Parole,  
31 the board shall provide such person's (a) name, (b) parole officer, and

1 (c) conditions of parole to the Nebraska Commission on Law Enforcement  
2 and Criminal Justice which shall provide access to such information to  
3 law enforcement agencies through the state's criminal justice information  
4 service.

5       Sec. 40. (1) The Division of Parole Supervision and the department  
6 shall create a pilot program to establish a technical parole violation  
7 residential housing program. The purpose of the program is to provide  
8 accountability and intensive support for individuals on parole who commit  
9 technical violations, without revoking them fully back to prison.

10       (2) The program shall provide a structured environment for selected  
11 individuals on parole who have committed technical violations. The  
12 program shall be based upon a therapeutic community model. Participants  
13 in the program shall, at a minimum, be required to take part in  
14 counseling, educational, and other programs as the department deems  
15 appropriate, to provide community service, and to submit to drug and  
16 alcohol screening.

17       (3) An individual on parole shall not be placed in the pilot program  
18 until the Division of Parole Supervision has determined the individual is  
19 a suitable candidate in accordance with policies and guidelines developed  
20 by the division.

21       (4) On or before June 1, 2024, the Division of Parole Supervision  
22 shall electronically submit a report to the Judiciary Committee of the  
23 Legislature regarding the pilot program. The report shall evaluate  
24 effects of the pilot program on recidivism and make recommendations  
25 regarding expansion of or changes to the program.

26       (5) For purposes of this section, technical violation has the same  
27 meaning as in section 83-1,119.

28       Sec. 41. Section 83-1,135, Revised Statutes Cumulative Supplement,  
29 2022, is amended to read:

30       83-1,135 Sections 83-170 to 83-1,135.05 and sections 34, 36, and 40  
31 of this act shall be known and may be cited as the Nebraska Treatment and

1 Corrections Act.

2 Sec. 42. Section 83-1,135.02, Revised Statutes Cumulative  
3 Supplement, 2022, is amended to read:

4 83-1,135.02 (1) It is the intent of the Legislature that the changes  
5 made to the Nebraska Treatment and Corrections Act by Laws 2003, LB 46,  
6 with respect to parole eligibility apply to all committed offenders under  
7 sentence and not on parole on May 24, 2003, and to all persons sentenced  
8 on and after such date.

9 (2) It is the intent of the Legislature that the changes made to  
10 sections 29-2262, 29-2266, 29-2281, 83-182.01, 83-183, 83-183.01, 83-184,  
11 83-1,119, and 83-1,122 by Laws 2015, LB605, and sections 83-184.01,  
12 83-1,100.02, and 83-1,100.03 apply to all committed offenders under  
13 sentence, on parole, or on probation on August 30, 2015, and to all  
14 persons sentenced on and after such date.

15 (3) It is the intent of the Legislature that the changes made to  
16 sections 28-105, 29-2204.02, 29-2260, 29-2262, 29-2263, 29-2266, 29-2267,  
17 29-2268, 47-401, 47-502, 83-187, 83-1,119, 83-1,122, and 83-1,122.01 by  
18 Laws 2016, LB1094, and sections 29-2266.01 to 29-2266.03 and 83-1,135.03  
19 apply to all committed offenders under sentence, on parole, or on  
20 probation on or after April 20, 2016, and to all persons sentenced on and  
21 after such date.

22 (4) It is the intent of the Legislature that the changes made to  
23 sections 83-1,110.02 and 83-1,122.01 by Laws 2018, LB841, apply to all  
24 committed offenders under sentence or on parole on or after July 19,  
25 2018, and to all persons sentenced on and after such date.

26 (5) Except as otherwise provided in section 36 of this act, it is  
27 the intent of the Legislature that the changes made to sections  
28 83-1,100.02, 83-1,110, 83-1,111, and 83-1,114 and sections 34, 36, and 40  
29 of this act by this legislative bill apply to all committed offenders  
30 under sentence or on parole on or after the effective date of this act,  
31 and to all persons sentenced on and after such date.

1           Sec. 43.   Original sections 24-1302, 27-902, 28-518, 29-2221,  
2 29-2263, 29-2269, 29-2281, 29-2315.02, 29-2318, 29-3001, 43-279, 43-280,  
3 50-434, 69-2426, 69-2432, 71-5661, 71-5662, 71-5663, 71-5665, 71-5666,  
4 71-5669.01, and 83-1,110, Reissue Revised Statutes of Nebraska, and  
5 sections 27-803, 29-2252, 29-2262, 38-2136, 43-2,108, 71-5668,  
6 83-1,100.02, 83-1,111, 83-1,114, 83-1,122.01, 83-1,125.01, 83-1,135, and  
7 83-1,135.02, Revised Statutes Cumulative Supplement, 2022, are repealed.

8           2. On page 1, strike beginning with "criminal" in line 1 through  
9 line 14 and insert "the administration of justice; to amend sections  
10 24-1302, 27-902, 28-518, 29-2221, 29-2263, 29-2269, 29-2281, 29-2315.02,  
11 29-2318, 29-3001, 43-279, 43-280, 50-434, 69-2426, 69-2432, 71-5661,  
12 71-5662, 71-5663, 71-5665, 71-5666, 71-5669.01, and 83-1,110, Reissue  
13 Revised Statutes of Nebraska, and sections 27-803, 29-2252, 29-2262,  
14 38-2136, 43-2,108, 71-5668, 83-1,100.02, 83-1,111, 83-1,114, 83-1,122.01,  
15 83-1,125.01, 83-1,135, and 83-1,135.02, Revised Statutes Cumulative  
16 Supplement, 2022; to change provisions regarding problem solving courts  
17 and restate legislative intent regarding appropriations; to create pilot  
18 programs relating to virtual behavioral health services, probation, and  
19 parole; to provide duties for courts, the State Court Administrator, the  
20 probation administrator, the Nebraska Commission on Law Enforcement and  
21 Criminal Justice, the Division of Parole Supervision, the Board of  
22 Parole, and the Department of Correctional Services; to change provisions  
23 of the Nebraska Evidence Rules relating to hearsay and self-  
24 authenticating items of evidence; to change provisions relating to theft,  
25 the habitual criminal enhancement, set asides, restitution, appointment  
26 of counsel in certain proceedings, and actions for postconviction relief;  
27 to provide for access to certain information relating to probationers,  
28 juveniles, and parolees to law enforcement agencies; to create the  
29 Nebraska Sentencing Reform Task Force; to change provisions relating to  
30 the duty of confidentiality for certain mental health practitioners; to  
31 provide for answers of no contest in adjudication hearings under the

1 Nebraska Juvenile Code; to terminate the Committee on Justice  
2 Reinvestment Oversight; to require dissemination of information regarding  
3 suicide prevention to purchasers of firearms and require suicide  
4 prevention training in handgun training and safety courses; to change  
5 provisions of the Rural Health Systems and Professional Incentive Act; to  
6 change provisions relating to parole and provide for geriatric parole and  
7 streamlined parole contracts; to change and provide definitions; to  
8 provide for applicability; to harmonize provisions; and to repeal the  
9 original sections."