

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 996**

Introduced by Wayne, 13.

Read first time January 05, 2024

Committee: Judiciary

1 A BILL FOR AN ACT relating to treatment and corrections; to amend  
2 sections 16-252, 17-566, 47-105, 47-105.01, 47-117, and 47-120,  
3 Reissue Revised Statutes of Nebraska; to provide that the Department  
4 of Correctional Services shall operate the county jails; to provide  
5 a duty for the Judiciary Committee of the Legislature; to harmonize  
6 provisions; to provide an operative date; and to repeal the original  
7 sections.  
8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 16-252, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 16-252 Any city of the first class shall have the right to use the  
4 jail of the county for the confinement of such persons as may be  
5 imprisoned under the ordinances of such city. The city shall be liable to  
6 the Department of Correctional Services ~~county~~ for the cost of keeping  
7 such prisoners as provided by section 47-120.

8 Sec. 2. Section 17-566, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

10 17-566 Any city of the second class or village shall have the right  
11 to use the county jail in the county in which the city or village is  
12 located for the confinement of such persons as may be imprisoned under  
13 the ordinances of such city or village. The city or village shall be  
14 liable to the Department of Correctional Services ~~county~~ for the cost of  
15 keeping such prisoners as provided by section 47-120.

16 Sec. 3. Section 47-105, Reissue Revised Statutes of Nebraska, is  
17 amended to read:

18 47-105 The Department of Correctional Services ~~sheriff, or, in case~~  
19 ~~of his or her death, removal, or disability, the person by law appointed~~  
20 ~~to such office,~~ shall have charge of each the county jail ~~of his or her~~  
21 ~~proper county,~~ and of all persons by law confined therein, and the  
22 ~~department~~ such sheriff or other person as may be charged with the  
23 ~~administration of the jail~~ shall conform to the rules and directions of  
24 the Jail Standards Board ~~which may be made and communicated to him or her~~  
25 ~~by the county board.~~

26 Sec. 4. Section 47-105.01, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 47-105.01 The Department of Correctional Services ~~sheriff or such~~  
29 ~~other person as may be charged with the administration of the jail~~ shall  
30 conform to the rules and directions as prescribed by the Jail Standards  
31 Board pursuant to sections 47-101 and 47-104 ~~which may be made and~~

1 ~~communicated to him or her by the county board.~~

2       Sec. 5. Section 47-117, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4       47-117 For the purposes of Chapter 47, article 1, jail shall be  
5 defined to include a jail, house of correction, community residential  
6 center, work release center, halfway house, or other place of confinement  
7 of a person committed by any lawful authority to any suitable and  
8 appropriate residence, facility, center, or institution designated as a  
9 jail facility by the county or the Department of Correctional Services.

10       Sec. 6. Section 47-120, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12       47-120 The Department of Correctional Services ~~county board or~~  
13 ~~county board of corrections serving pursuant to Chapter 23, article 28,~~  
14 shall provide proper quarters and adequate equipment for the preparation  
15 and serving of all meals furnished to all prisoners confined in the  
16 county jail. The department ~~county sheriff or the county board of~~  
17 ~~corrections~~ shall have full charge and control of such services and the  
18 ~~county board~~ shall provide for all washing, fuel, lights, and clothing  
19 for prisoners, subject to the right of the department ~~county~~ to be paid  
20 by the city or federal government for city or federal prisoners at actual  
21 cost to the department ~~county~~. Supplies of every nature entering into the  
22 furnishing of meals, washing, fuel, lights, and clothing to the prisoners  
23 confined in the county jail shall be purchased and provided by the  
24 department ~~under the direction of the county sheriff or the county board~~  
25 ~~of corrections. Payment for all purchases shall only be made by the~~  
26 ~~county board on the original invoices submitted by the sheriff or the~~  
27 ~~county board of corrections of goods, supplies, and services, setting~~  
28 ~~forth (1) that the invoice correctly describes the goods as to quality~~  
29 ~~and quantity, (2) that the same have been received and are in the custody~~  
30 ~~of the affiant, (3) that they have been or will be devoted exclusively to~~  
31 ~~the purposes authorized in this section, and (4) that the price charged~~

1 ~~is reasonable and just. Nothing in this section shall be construed to~~  
2 ~~restrict the sheriff or the county board of corrections in employing~~  
3 ~~necessary personnel and from otherwise carrying out the duties required~~  
4 ~~in the operation of the jail.~~

5       Sec. 7. The Judiciary Committee of the Legislature shall prepare an  
6 amendment to harmonize provisions of state law consistent with this act.

7       Sec. 8. This act becomes operative on July 1, 2025.

8       Sec. 9. Original sections 16-252, 17-566, 47-105, 47-105.01,  
9 47-117, and 47-120, Reissue Revised Statutes of Nebraska, are repealed.