

AMENDMENTS TO LB 75

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

3           "Section 1. Section 23-1701, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5           23-1701. It is the duty of the sheriff to serve or  
6 otherwise execute, according to law, and return writs or other  
7 legal process issued by lawful authority and directed or committed  
8 to the sheriff and to perform such other duties as may be required  
9 by law. The county sheriff shall prepare and file the required  
10 annual inventory statement of county personal property in his or  
11 her custody or possession as provided in sections 23-346 to 23-350.

12           A sheriff elected after November 1986 need not be a  
13 resident of the county when he or she files for election as  
14 sheriff, but a sheriff shall reside in a county for which he or she  
15 holds office except as provided in subsection (4) of section  
16 23-1701.01.

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

19           23-1701.01. (1) ~~Each~~ In each county with a population of  
20 less than ten thousand inhabitants, the sheriff shall attend the  
21 Nebraska Law Enforcement Training Center and receive a certificate  
22 attesting to satisfactory completion of the Sheriff's Certification  
23 Course within eight months of taking office unless such sheriff has  
24 already been awarded a certificate by the Nebraska Commission on

1 Law Enforcement and Criminal Justice attesting to satisfactory  
2 completion of such course or unless such sheriff can demonstrate to  
3 the Nebraska Police Standards Advisory Council that his or her  
4 previous training and education is such that he or she will  
5 professionally discharge the duties of the office.

6 (2) In each county with a population of ten thousand or  
7 more inhabitants, a candidate for the office of sheriff shall  
8 submit with the candidate filing form required by section 32-607  
9 proof that he or she has attended the Nebraska Law Enforcement  
10 Training Center and received a certificate attesting to  
11 satisfactory completion of the Sheriff's Certification Course or  
12 proof that he or she has demonstrated to the Nebraska Police  
13 Standards Advisory Council that his or her previous training and  
14 education is such that he or she will professionally discharge the  
15 duties of the office.

16 (3) Any sheriff in office prior to July 19, 1980, shall  
17 not be required to obtain a certificate attesting to satisfactory  
18 completion of the Sheriff's Certification Course but shall  
19 otherwise be subject to be exempt from the requirements of  
20 subsections (1) and (2) of this section.

21 (4) In making an appointment pursuant to section 32-567,  
22 the county board may appoint a qualified person from any Nebraska  
23 county to the office of sheriff. In making such appointment, the  
24 county board shall negotiate a contract with the appointee, such  
25 contract to specify the terms and conditions of the appointment,  
26 including the compensation of the appointee, which compensation  
27 shall not be subject to sections 23-1114.02 to 23-1114.06.

1           (5) Each sheriff shall attend twenty hours of continuing  
2 education in criminal justice and law enforcement courses approved  
3 by the council each year following the first year of such sheriff's  
4 term of office. Such continuing education shall be offered through  
5 seminars, advanced education which may include college or  
6 university classes, or conferences and shall be of a type which has  
7 application to and seeks to maintain and improve the skills of the  
8 sheriffs in carrying out the responsibilities of their office.

9           ~~(2)~~ (6) Unless a sheriff is able to show good cause for  
10 not complying with subsection ~~(1)~~ (5) of this section or obtains a  
11 waiver of the training requirements from the council, any sheriff  
12 who violates subsection ~~(1)~~ (5) of this section shall be punished  
13 by a fine equal to such sheriff's monthly salary. Each month in  
14 which such violation occurs shall constitute a separate offense.

15           Sec. 3. Original sections 23-1701 and 23-1701.01,  
16 Reissue Revised Statutes of Nebraska, are repealed.".