

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 874

Introduced by Giese, 17.

Read first time January 11, 2010

Committee: Judiciary

A BILL

1 FOR AN ACT relating to the Nebraska Probation Administration
2 Act; to amend section 29-2259, Reissue Revised Statutes
3 of Nebraska; to change provisions relating to office
4 expenses; to harmonize provisions; and to repeal the
5 original section.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 29-2259, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 29-2259 (1) The salaries, actual and necessary expenses,
4 and expenses incident to the conduct and maintenance of the office
5 shall be paid by the state. Actual and necessary expenses shall be
6 paid as provided in sections 81-1174 to 81-1177.

7 (2) The salaries and actual and necessary travel expenses
8 of the probation service shall be paid by the state. Actual and
9 necessary expenses shall be paid as provided in sections 81-1174 to
10 81-1177.

11 (3) Except as provided in sections 29-2262 and
12 29-2262.04, the costs of drug testing and equipment incident to the
13 electronic surveillance of individuals on probation shall be paid
14 by the state.

15 (4) The Each county in which is located either a
16 principal office or a satellite probation office shall be
17 responsible for the cost of rental or other expenses necessary to
18 house such office.

19 (5)(a) All other expenses incident to the conduct and
20 maintenance of the principal office within each probation district
21 shall in the first instance be paid by the county in which it
22 is located, but such county shall be reimbursed for such expenses
23 by all other counties within the probation district to the extent
24 and in the proportions determined by the Supreme Court based upon
25 population, number of investigations, and probation cases handled

1 or upon such other basis as the Supreme Court deems fair and
2 equitable.

3 ~~(5)~~ (b) Each county shall provide office space and
4 necessary facilities for probation officers performing their
5 official duties pursuant to subsection (4) of this section and
6 shall bear the costs incident to maintenance of such offices
7 other than salaries, travel expenses, and data processing and word
8 processing hardware and software that is provided on the state
9 computer network.

10 (6) The cost of interpreter services for deaf and hard of
11 hearing persons and for persons unable to communicate the English
12 language shall be paid by the state with money appropriated to
13 the Supreme Court. Interpreter services shall include auxiliary
14 aids for deaf and hard of hearing persons as defined in section
15 20-151 and interpreters to assist persons unable to communicate
16 the English language as defined in section 25-2402. Interpreter
17 services shall be provided under this section for the purposes of
18 conducting a presentence investigation and for ongoing supervision
19 by a probation officer of such persons placed on probation.

20 (7) The probation administrator shall prepare a budget
21 and request for appropriations for the office and shall submit
22 such request to the Supreme Court and with its approval to the
23 appropriate authority in accordance with law.

24 Sec. 2. Original section 29-2259, Reissue Revised
25 Statutes of Nebraska, is repealed.