

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIFTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 818**

Introduced by Chambers, 11.

Read first time January 04, 2018

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to the Jail Standards Board; to amend section
- 2 83-4,131, Reissue Revised Statutes of Nebraska, and section
- 3 83-4,126, Revised Statutes Cumulative Supplement, 2016; to change
- 4 provisions relating to powers and duties as prescribed; to harmonize
- 5 provisions; and to repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 83-4,126, Revised Statutes Cumulative Supplement,  
2 2016, is amended to read:

3 83-4,126 The ~~(1) Except as provided in subsection (2) of this~~  
4 ~~section,~~ the Jail Standards Board shall have the authority and  
5 responsibility:

6 (1) ~~(a)~~ To develop minimum standards for the construction,  
7 maintenance, and operation of criminal detention facilities;

8 (2) ~~(b)~~ To perform other duties as may be necessary to carry out the  
9 policy of the state regarding criminal detention facilities, juvenile  
10 detention facilities, and staff secure juvenile facilities as stated in  
11 sections 83-4,124 to 83-4,134.01; and

12 (3) ~~(c)~~ Consistent with the purposes and objectives of the Juvenile  
13 Services Act, to develop standards for juvenile detention facilities and  
14 staff secure juvenile facilities, including, but not limited to,  
15 standards for physical facilities, care, programs, and disciplinary  
16 procedures, and to develop guidelines pertaining to the operation of such  
17 facilities.

18 ~~(2) The Jail Standards Board shall not have authority over or~~  
19 ~~responsibility for correctional facilities that are accredited by a~~  
20 ~~nationally recognized correctional association. A correctional facility~~  
21 ~~that is accredited by a nationally recognized correctional association~~  
22 ~~shall show proof of accreditation annually to the Jail Standards Board.~~  
23 ~~For purposes of this subsection, nationally recognized correctional~~  
24 ~~association includes, but is not limited to, the American Correctional~~  
25 ~~Association or its successor.~~

26 Sec. 2. Section 83-4,131, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 83-4,131 Personnel of the Nebraska Commission on Law Enforcement and  
29 Criminal Justice shall visit and inspect each criminal detention  
30 facility, juvenile detention facility, and staff secure juvenile facility  
31 in the state, ~~except correctional facilities accredited by a nationally~~

1 ~~recognized correctional association pursuant to subsection (2) of section~~  
2 ~~83-4,126,~~ for the purpose of determining the conditions of confinement,  
3 the treatment of persons confined in the facilities, and whether such  
4 facilities comply with the minimum standards established by the Jail  
5 Standards Board. A written report of each inspection shall be made within  
6 thirty days following such inspection to the appropriate governing body  
7 responsible for the criminal detention facility, juvenile detention  
8 facility, or staff secure juvenile facility involved. The report shall  
9 specify those areas in which the facility does not comply with the  
10 required minimum standards.

11       Sec. 3.   Original section 83-4,131, Reissue Revised Statutes of  
12 Nebraska, and section 83-4,126, Revised Statutes Cumulative Supplement,  
13 2016, are repealed.