

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 784

Introduced by Hallstrom, 1; DeKay, 40.

Read first time January 07, 2026

Committee: Judiciary

1 A BILL FOR AN ACT relating to law enforcement; to amend section
2 81-1414.07, Reissue Revised Statutes of Nebraska, and sections
3 23-1701, 23-1701.01, and 32-604, Revised Statutes Cumulative
4 Supplement, 2024; to change provisions relating to residency
5 requirements for sheriffs in certain counties and continuing
6 education requirements for law enforcement officers; to harmonize
7 provisions; to provide operative dates; and to repeal the original
8 sections.

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

1 **Section 1.** Section 23-1701, Revised Statutes Cumulative Supplement,
2 2024, is amended to read:

3 23-1701 (1) It is the duty of the sheriff to serve or otherwise
4 execute, according to law, and return writs or other legal process issued
5 by lawful authority and directed or committed to the sheriff and to
6 perform such other duties as may be required by law. The county sheriff
7 shall prepare and file the required annual inventory statement of county
8 personal property in his or her custody or possession as provided in
9 sections 23-346 to 23-350.

10 (2) Except as provided in subsections subsection (3) and (4) of this
11 section, a sheriff ~~elected after November 1986~~ need not be a resident of
12 the county when he or she files for election as sheriff, but a sheriff
13 shall reside in the a county for which he or she holds office.

14 (3) This subsection applies to a county that does not contain a city
15 of the metropolitan, primary, or first class. The sheriff need not be a
16 resident of the county when he or she files for election as sheriff of
17 such county, but when holding office, such sheriff shall reside in such
18 county or an adjoining county.

19 (4) ~~(3)~~ If there is no county sheriff elected pursuant to section
20 32-520 or if a vacancy occurs for any other reason, the county board of
21 such county may appoint a law enforcement officer qualified pursuant to
22 section 23-1701.01 from any Nebraska county to the office of county
23 sheriff. In making such appointment, the county board shall enter into a
24 contract with the appointed county sheriff, such contract to specify the
25 terms and conditions of the appointment, including the compensation of
26 the appointed county sheriff, which compensation shall not be subject to
27 sections 23-1114.02 to 23-1114.06.

28 **Sec. 2.** Section 23-1701.01, Revised Statutes Cumulative Supplement,
29 2024, is amended to read:

30 23-1701.01 (1) Any candidate for the office of sheriff and any
31 sheriff appointed under subsection ~~(4)~~ (3) of section 23-1701 shall

1 possess a law enforcement officer certificate or diploma issued by the
2 Nebraska Commission on Law Enforcement and Criminal Justice. A
3 standardized letter issued by the director of the Nebraska Law
4 Enforcement Training Center certifying that the candidate or appointee
5 was duly issued such certificate or diploma shall be filed by a candidate
6 with the candidate filing form required by section 32-607 and by an
7 appointee with the contract entered into under section 23-1701.

8 (2) Each sheriff shall attend the Sheriff's Certification Course
9 conducted by the Nebraska Law Enforcement Training Center and obtain a
10 certificate awarded by the Nebraska Commission on Law Enforcement and
11 Criminal Justice attesting to satisfactory completion of such course
12 within eight months after taking office unless such sheriff has already
13 been awarded a certificate by the commission attesting to satisfactory
14 completion of such course or unless such sheriff can demonstrate to the
15 Nebraska Police Standards Advisory Council that his or her previous
16 training and education is such that he or she will professionally
17 discharge the duties of the office. Any sheriff in office prior to July
18 19, 1980, shall not be required to obtain a certificate awarded by the
19 commission attesting to satisfactory completion of the Sheriff's
20 Certification Course but shall otherwise be subject to this section.

21 (3) Each sheriff shall attend continuing education as provided in
22 section 81-1414.07 each year following the first year of such sheriff's
23 term of office.

24 (4) Unless a sheriff is able to show good cause for not complying
25 with subsection (2) or (3) of this section or obtains a waiver of the
26 training requirements from the council, any sheriff who violates
27 subsection (2) or (3) of this section shall be punished by a fine equal
28 to such sheriff's monthly salary. Each month in which such violation
29 occurs shall constitute a separate offense.

30 **Sec. 3.** Section 32-604, Revised Statutes Cumulative Supplement,
31 2024, is amended to read:

1 32-604 (1) Except as provided in subsection (2) or (4) of this
2 section, no person shall be precluded from being elected or appointed to
3 or holding an elective office for the reason that he or she has been
4 elected or appointed to or holds another elective office.

5 (2) No person serving as a member of the Legislature or in an
6 elective office described in Article IV, section 1 or 20, or Article VII,
7 section 3 or 10, of the Constitution of Nebraska shall simultaneously
8 serve in any other elective office, except that such a person may
9 simultaneously serve in another elective office which is filled at an
10 election held in conjunction with the annual meeting of a public body.

11 (3) Whenever an incumbent serving as a member of the Legislature or
12 in an elective office described in Article IV, section 1 or 20, or
13 Article VII, section 3 or 10, of the Constitution of Nebraska assumes
14 another elective office, except an elective office filled at an election
15 held in conjunction with the annual meeting of a public body, the office
16 first held by the incumbent shall be deemed vacant.

17 (4) No person serving in a high elective office shall simultaneously
18 serve in any other high elective office, except that (a) a county
19 attorney may serve as the county attorney for more than one county if
20 appointed under subsection (2) of section 23-1201.01 and (b) a county
21 sheriff may serve as the county sheriff for more than one county if
22 appointed under subsection (4) ~~(3)~~ of section 23-1701.

23 (5) Notwithstanding subsection (4) of this section, any person
24 holding more than one high elective office upon July 15, 2010, shall be
25 entitled to serve the remainder of all terms for which he or she was
26 elected or appointed.

27 (6) For purposes of this section, (a) elective office has the
28 meaning found in section 32-109 and includes an office which is filled at
29 an election held in conjunction with the annual meeting of a public body
30 created by an act of the Legislature but does not include a member of a
31 learning community coordinating council appointed pursuant to subsection

1 (5) or (7) of section 32-546.01 prior to January 5, 2017, and (b) high
2 elective office means a member of the Legislature, an elective office
3 described in Article IV, section 1 or 20, or Article VII, section 3 or
4 10, of the Constitution of Nebraska, or a county, city, community college
5 area, learning community, regional metropolitan transit authority, or
6 school district elective office.

7 **Sec. 4.** Section 81-1414.07, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 81-1414.07 (1)(a) In order to maintain his or her professional
10 status and serve the law enforcement profession, the community, and the
11 residents of Nebraska, each law enforcement officer, ~~other than a~~
12 ~~noncertified conditional officer~~, shall attend continuing education
13 courses ~~for the number of hours required in subdivision (1)(b) of this~~
14 ~~section in the areas of criminal justice and law enforcement as provided~~
15 ~~in this section. during each calendar year beginning on January 1 and~~
16 ~~ending on December 31.~~

17 (b) A law enforcement officer is not required to meet the continuing
18 education requirements in the year in which he or she first becomes fully
19 certified.

20 (c) A law enforcement officer may retire from service in good
21 standing without meeting the continuing education requirements in the
22 calendar year of the officer's retirement.

23 (d) The requirements of this section do not apply to a noncertified
24 conditional officer.

25 (b) ~~The number of continuing education hours required under this~~
26 ~~subsection shall be:~~

27 (i) ~~Until January 1, 2022, twenty hours;~~

28 (ii) ~~Beginning January 1, 2022, and until January 1, 2023, twenty-~~
29 ~~eight hours; and~~

30 (iii) ~~Beginning January 1, 2023, thirty-two hours.~~

31 (2) Each calendar year, a law enforcement officer shall attend at

1 least twenty-four hours of continuing education. Such annual continuing
2 education ~~The annual continuing education required by this section shall~~
3 include training on:

4 ~~(a) Refresher courses on de-escalation, mental health, and substance~~
5 ~~abuse issues;~~

6 ~~(b) A minimum of two hours of anti-bias and implicit bias training;~~

7 ~~(a) (c) Firearms;~~

8 ~~(d) Officer wellness;~~

9 ~~(b) (e) Legal updates, including, but not limited to, legislative~~
10 ~~changes and First Amendment and Fourth Amendment issues; and~~

11 ~~(f) Vehicular pursuit policy review; and~~

12 ~~(c) (g) Any other training as determined by a law enforcement~~
13 ~~agency.~~

14 (3)(a) At least once in each three-calendar-year period, a law
15 enforcement officer shall attend continuing education that includes:

16 (i) Refresher courses on de-escalation, mental health, and substance
17 abuse issues;

18 (ii) A minimum of two hours of anti-bias and implicit bias training;

19 (iii) Training on officer wellness; and

20 (iv) A review of vehicular pursuit policies.

21 (b) The continuing education hours required by this subsection are
22 counted for purposes of the required hours under subsection (2) of this
23 section.

24 (4) (3) Continuing education courses may be offered in the form of
25 seminars, advanced education which may include college or university
26 classes, conferences, instruction conducted within the law enforcement
27 officer's law enforcement agency, or instruction conducted over the
28 Internet. Continuing education shall be of a type which has application
29 to and seeks to maintain and improve the skills of the law enforcement
30 officer in carrying out his or her duties and responsibilities.

31 **Sec. 5.** Sections 4 and 7 of this act become operative on January 1,

1 2027. The other sections of this act become operative on their effective
2 date.

3 **Sec. 6.** Original sections 23-1701, 23-1701.01, and 32-604, Revised
4 Statutes Cumulative Supplement, 2024, are repealed.

5 **Sec. 7.** Original section 81-1414.07, Reissue Revised Statutes of
6 Nebraska, is repealed.